United Nations

Report of the Committee on the Elimination of Discrimination against Women

(Twelfth session)

General Assembly
Official Records • Forty-eighth Session
Supplement No.38 (A/48/38)

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United Nations • New York, 1994

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LETTER OF TRANSMITTAL

5 February 1993

Sir,

I have the honour to refer to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its twelfth session from 18 January to 5 February 1993 at the Vienna International Centre. It adopted the report on that session at its 232nd meeting, on 5 February. The report is herewith submitted to you for transmission to the General Assembly at its forty-eighth session.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Ivanka CORTI
Chairperson
Committee on the Elimination of
Discrimination against Women

His Excellency Mr. Boutros Boutros-Ghali
Secretary-General of the United Nations
New York

I. MATTERS BROUGHT TO THE ATTENTION OF STATES PARTIES

A. Suggestion

Suggestion 4. World Conference on Human Rights (1993)

The Committee on the Elimination of Discrimination against Women,

Emphasizing the fact that the Charter of the United Nations includes among its purposes and principles the achievement of international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to sex, and the fact that women are entitled to the full protection of the rights enshrined in the Universal Declaration of Human Rights, 1/ the International Covenant on Economic, Social and Cultural Rights, 2/ the International Covenant on Civil and Political Rights, 2/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 3/ the International Convention on the Elimination of All Forms of Racial Discrimination, 4/ the Convention on the Rights of the Child 5/ and in other international and regional human rights instruments, in addition to the specific guarantees set forth in the Convention on the Elimination of All Forms of Discrimination against Women, 6/

Affirming the importance of the efforts undertaken by the United Nations to promote respect for women's human rights and fundamental freedoms,

Recognizing the contribution of the Commission on the Status of Women to the protection of women's human rights and the elimination of discrimination against women,

Concerned that women in all regions continue to be discriminated against in the recognition, exercise and enjoyment of their human rights in public and private life and are subjected to violence,

Requesting that the above-mentioned and other grave violations of women's human rights be addressed with even greater effectiveness by the United Nations programme for the promotion and protection of human rights,

Having reviewed the progress made in the field of human rights since the adoption of the Universal Declaration of Human Rights, and having considered the challenges to the full realization of all human rights of women and men,

1. Recommends to the World Conference on Human Rights, to be held at Vienna from 14 to 25 June 1993, that efforts should be made to give effect to the principle recognized in the Proclamation of Tehran, proclaimed at the International Conference on Human Rights in 1968, that human rights are interrelated, interdependent and indivisible, 7/ an interrelationship that is also reflected in the Convention on the Elimination of All Forms of Discrimination against Women, and that therefore:

(a) Gender-specific information and analysis should be fully integrated into the implementation of all human rights instruments;

(b) Equal attention should be given to civil, political, economic, social and cultural rights;

(c) Respect should be given to the principle that the promotion and protection of one category of rights should not exempt or excuse States from the promotion and protection of another, nor should religious or other extremism be allowed to deny the human rights of women;

2. Also recommends that efforts should be made to encourage States that have not yet done so to ratify or accede to the Convention on the Elimination of All Forms of Discrimination against Women;

3. Recommends that States parties to the Convention on the Elimination of All Forms of Discrimination against Women should undertake the necessary reform of their national laws to place them in conformity with their obligations under the Convention;

4. Also recommends that, with regard to the large number and broad scope of the reservations made to the Convention on the Elimination of All Forms of Discrimination against Women, some of which would appear to give rise to questions concerning their compatibility with the object and purpose of the Convention:

(a) States parties that have entered reservations to the Convention should review their consistency with those entered to all human rights conventions;

(b) States parties should continually review the need for and desirability of their reservations to the Convention with a view to withdrawing them;

(c) States considering the ratification of or accession to the Convention should keep the number and scope of reservations to a minimum and should make any reservations as specific as possible;

(d) States parties should give full consideration to lodging objections to reservations entered by other States parties whenever such action is appropriate;

5. Also recommends that States parties should nominate candidates for human rights treaty bodies with a view to achieving a better balance of men and women in all of them;

6. Further recommends that, with a view to placing the Convention on the Elimination of All Forms of Discrimination against Women on the same footing as other human rights conventions:

(a) A study should be prepared on the feasibility of drafting optional protocols;

(b) Steps should be taken to amend the Convention to provide adequate time for meetings by eliminating the limitation set out in article 20 of the Convention;

(c) The servicing of the Committee on the Elimination of Discrimination against Women should be provided by both the Centre for Human Rights and the Division for the Advancement of Women of the United Nations Secretariat, and that the meeting places of the Committee should be adjusted accordingly;

7. Recommends further that, having regard to the Committee's confirmation, in its general recommendation 19 (eleventh session) on violence against

women, 8/ that the Convention's definition of discrimination includes gender-based violence:

(a) Measures should be elaborated to enhance international protection against gender-specific violence;

(b) All special rapporteurs should take gender-based discrimination and violence against women into account in their work;

(c) States parties should be urged to take concrete measures to prevent and respond to violence against women in public and private life;

8. Also recommends that, in order to ensure that concern for women's human rights is fully integrated into the human rights regime, including the work of all treaty bodies, thematic and country rapporteurs and working groups and experts appointed through the advisory services programme in the areas that fall within their mandates:

(a) Training and advisory services at the national level should include gender-analysis and reporting;

(b) Periodic reviews should be undertaken of the effectiveness of the United Nations human rights machinery in addressing violations of women's human rights;

9. Further recommends that the organizations of the United Nations system should:

(a) Take measures to ensure effective coordination between the United Nations system and international and regional human rights bodies, for the review and periodic evaluation of their effectiveness;

(b) Ensure the provision of adequate financial and human resources for those purposes;

(c) Ensure that international development and financing institutions include, in assessing countries' development efforts, the criterion of women's ability to exercise the rights guaranteed by the Convention;

(d) Recognize the need to increase the participation of non-governmental organizations with expertise on human rights and development issues concerning women in all United Nations activities relating to human rights, including the work of the specialized agencies, where appropriate;

10. Recommends further that the Secretary-General of the United Nations should be requested:

(a) To implement the established goals of a 35 per cent participation rate of women in the Professional staff of the Secretariat and a 25 per cent participation rate of women at the D-1 level and above by 1995;

(b) To take steps to ensure adequate financial and human resources for the work of the Committee on the Elimination of Discrimination against Women;

(c) To provide training in gender issues, including gender analysis, for personnel concerned with human rights in the United Nations and the United Nations system;

11. Reaffirms that the denial of political, economic, social and cultural rights and the negative effects of structural adjustment programmes in many countries have had an adverse impact on women, which is even further aggravated by the lack of a gender dimension in these programmes and the continuance of existing gender discrimination in public and family life, and therefore recommends that States should ensure:

(a) The full realization of political, economic, social and cultural rights;

(b) The integration of women on an equal basis into the development process, including planning, decision-making and implementation;

(c) A reduction of the adverse effects of structural adjustment programmes on the exercise of women's human rights and their ability to secure nutrition, housing and health care and to generate income;

12. Recommends that States should encourage the development of policies intended to ensure that measures will be taken:

(a) To protect women as a vulnerable group in situations of civil strife;

(b) To prevent and respond to abuses against women in situations of international or non-international armed conflict;

(c) To ensure that women will participate in the process of mediation and the settlement of such conflicts.

B. Alleged violations of human rights inflicted upon women in the territory of the former Yugoslavia

1. In the light of its previous work on violence against women, reflected in its general recommendation 19 (eleventh session), 8/ and in view of the international concern about the situation of women in the territory of the former Yugoslavia that had led the Commission on Human Rights, at its first special session, held on 13 and 14 August 1992, to appoint a Special Rapporteur to investigate firsthand the human rights situation in the territory of the former Yugoslavia, in particular within Bosnia and Herzegovina (Commission resolution 1992/S-1/1), 9/ the Committee considered its own response to the situation. The view was expressed that the Committee, as the body responsible for monitoring the implementation of the convention to ensure women's human rights, should make its concern about the situation known. It was also noted that it was not the practice of the Committee to comment on a particular situation in a country, unless it was considering a report of that country. After discussing the matter thoroughly and after considering the practice of other human rights treaty bodies, the Committee decided to request its Chairperson to send a letter to the Special Rapporteur formally expressing the Committee's concern. The letter of the Chairperson to the Special Rapporteur, and his reply, are contained in annexes I and II, respectively.

2. The Committee decided further that, if warranted, it should, pursuant to article 18 of the Convention, request the States of the territory of the former Yugoslavia to submit a report or reports on an exceptional basis and that such a report or reports should be considered at the next session. In addition, the Committee put on record its commitment to look into similar grave violations of rights being experienced by women in any part of the world.

C. Action taken by the Committee in response to resolution 1992/3 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

3. The Committee welcomed the request of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, in its resolution 1992/3 on contemporary forms of slavery, to the Secretary-General:

> "To seek the views of the Committee on the Elimination of Discrimination against Women and the Commission on the Status of Women on the desirability of obtaining an advisory opinion on the validity and legal effect of reservations to the Convention on the Elimination of All Forms of Discrimination against Women and to invite them, in their replies, to make such further observations on the issue of reservations to this Convention as they may consider appropriate." 10/

4. The Committee recalled that it had raised the issue of reservations to the Convention at its previous sessions and that it had recommended, in its general recommendation 20 (eleventh session), *inter alia*, that, in connection with preparations for the World Conference on Human Rights in 1993, States parties should raise the question of the validity and the legal effect of reservations to the Convention in the context of reservations to other human rights treaties, and should reconsider such reservations with a view to strengthening the implementation of all human rights treaties. 8/ The Committee therefore considered that it must be made clear that its particular concern was to have an opinion that might assist Governments to reconsider their reservations with a view to withdrawing them.

5. The Committee therefore decided that it should support steps taken in common with other human rights treaty bodies to seek an advisory opinion from the International Court of Justice that would clarify the issue of reservations to the human rights treaties and thereby assist States parties in their ratification and implementation of those international instruments. Such an opinion would also help the Committee in its task of considering the progress made in the implementation of the Convention.

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention

6. On 5 February 1993, the closing date of the twelfth session of the Committee on the Elimination of Discrimination against Women, there were 121 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York on 1 March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

7. A list of States parties to the Convention is contained in annex III to the present report.

B. Opening of the session

8. The Committee on the Elimination of Discrimination against Women held its twelfth session from 18 January to 5 February 1993 at the Vienna International Centre. The Committee held 25 plenary meetings (208th to 232nd meetings) and its two standing working groups each held 12 closed meetings.

9. The twelfth session of the Committee was opened by the Chairperson of the Committee, Mervat Tallawy (Egypt), who had been elected at the tenth session.

10. In his opening statement, the representative of the Secretary-General, the Deputy Director of the Division for the Advancement of Women, drew attention to a number of developments related to the regime for the examination of human rights and the restructuring of the economic and social sectors of the United Nations. He said that those developments raised the old question of the extent to which women's human rights could safely be put in the mainstream of the overall regime for examining human rights. That question required an assessment of progress made, as well as a vision of what could be achieved in future. He noted that women's human rights had been separated to develop their own track early in the history of the United Nations by upgrading the original Sub-Commission on the Status of Women to a full-fledged functional commission. There was considerable evidence to show that the decision to set up a parallel track had been wise, since the women's stream had often moved faster than the mainstream. This was especially true of the progress made in the de jure elimination of discrimination. He noted that, in terms of laws, the problem of discrimination was on its way to being solved. The focus of the women's human rights track had almost exclusively been on the enjoyment of rights, and on the de facto situation of women, which meant policies and programmes to transform rights into reality.

11. Work on the implementation of the Convention should benefit from the broader analytical and promotional work for the advancement of women. One innovation had been the Committee's request that the Secretariat should keep it informed of its work for the Commission, and vice versa. The continuous relationship was unique among the human rights treaty bodies and had only been possible because of the common secretariat. The recommendations of the Commission, as well as their translation into tangible improvements, should appear in concrete and measurable form in the reports of the States parties to the Convention, thus naturally reinforcing the work of the two bodies.

12. The separation of women's issues had had its disadvantages. It might have reduced the incentive for other bodies to deal with gender issues. An examination of the work of the other bodies would reveal the extent to which gender issues had been included in their work and whether women's confidence in the mainstream had been increased. Future decisions on location and servicing should be judicious and based on an analysis of achievements and future needs. Commenting on the work of the Committee, he pointed to the alarming backlog in the consideration of periodic reports of States parties. He hoped that matter would receive attention during the Committee's consideration of its working methods. Furthermore, the need for possible additional meeting time should be balanced with the costs involved. He also emphasized the most effective way of formulating general recommendations, saying that the way in which the Committee approached its general recommendations at its twelfth session would shape the pattern of work for the future. He urged the Committee not only to ask for additional information in respect of article 16 of the Convention, but also to consider the kinds of information pertinent to articles 7 and 8 that it would need for its work at its thirteenth session.

C. Membership and attendance

13. In accordance with article 17 of the Convention, the Sixth Meeting of the States Parties to the Convention was convened by the Secretary-General at United Nations Headquarters on 4 February 1992. The States parties elected 11 members of the Committee from among the candidates nominated to replace those whose term of office was due to expire on 16 April 1992.

14. All the members of the Committee attended the twelfth session; however, Emna Aouij (Tunisia) attended the session from 18 January to 3 February 1993; Norma Monica Forde (Barbados) from 18 to 28 January and from 1 to 5 February; Elsa Victoria Muñoz-Gómez (Colombia) from 18 to 22 January and from 29 January to 5 February; Hanna Beate Schöpp-Schilling (Germany) attended the session on 18 January and from 25 January to 5 February; Mervat Tallawy (Egypt) from 18 January to 3 February and Rose N. Ukeje (Nigeria) from 18 to 26 January.

15. A list of members of the Committee, together with an indication of the duration of their terms of office, is given in annex IV to the present report.

D. Solemn declaration

16. At the opening of the twelfth session, before assuming their functions, the newly elected members, Gül Aykor (Turkey), Silvia Rose Cartwright (New Zealand), Evangelina García-Prince (Venezuela), Liliana Gurdulich de Correa (Argentina), Salma Khan (Bangladesh), Pirkko Anneli Mäkinen (Finland), Elsa Victoria Muñoz-Gómez (Colombia) and Ahoua Ouedraogo (Burkina Faso), and the three re-elected members, Carlota Bustelo García del Real (Spain), Hanna Beate Schöpp-Schilling (Germany) and Kongit Sinegiorgis (Ethiopia), made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee.

E. Election of officers

17. At its 208th meeting, on 18 January, the Committee elected the following officers by acclamation for a term of two years (1993-1994), in accordance with article 19 of the Convention: Ivanka Corti (Italy), Chairperson; Evangelina García-Prince (Venezuela) and Tatiana Nikolaeva (Russian Federation), Vice-Chairpersons; and Teresita Quintos-Deles (Philippines), Rapporteur. At its 210th meeting, on 19 January, the Committee elected Rose N. Ukeje (Nigeria) as the third Vice-Chairperson.

F. Adoption of the agenda

18. The Committee considered the provisional agenda (CEDAW/C/1993/1 and Corr. 1) at its 208th meeting, on 18 January. The agenda as adopted was follows:

1. Opening of the session.

2. Solemn declaration by the new members of the Committee on the Elimination of Discrimination against Women.

3. Election of officers.

4. Adoption of the agenda and organization of work.

5. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

6. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.

7. Ways and means of expediting the work of the Committee on the Elimination of Discrimination against Women.

8. Consideration of the report of the fourth meeting of persons chairing the human rights treaty bodies and action taken by the General Assembly concerning treaty bodies.

9. Contributions of the Committee on the Elimination of Discrimination against Women to international conferences.

10. Provisional agenda for the thirteenth session.

11. Adoption of the report of the Committee on the Elimination of Discrimination against Women on its twelfth session.

G. Report of the pre-session working group

19. The Committee had decided at its ninth session 11/ to convene a pre-session working group for five days before each session of the Committee to prepare lists of questions relating to the second and subsequent periodic reports that would be considered by the Committee at the session.

20. Accordingly, the pre-session working group held 10 meetings, including three drafting sessions, at the Vienna International Centre, from 11 to 15 January 1993. The five members, as nominated by the Committee, were Charlotte Abaka (Ghana), Dora Bravo Nuñez de Ramsey (Ecuador), Silvia Rose Cartwright (New Zealand),* Lin Shangzhen (China) and Tatiana Nikolaeva (Russian Federation). Charlotte Abaka was elected Chairperson.

21. At the 210th meeting of the Committee, on 19 January, the Chairperson of the pre-session working group introduced the report of the working group (CEDAW/C/1993/CRP.2).

22. In accordance with the provisional agenda of the Committee, the working group had been required to prepare lists of questions relating to the reports of seven countries: Bangladesh, France, Nicaragua, Republic of Korea, Rwanda, Sweden and United Kingdom of Great Britain and Northern Ireland.

23. The working group had before it the reports of those seven countries; the general guidelines regarding the form and content of periodic reports (CEDAW/C/7); the general recommendations adopted by the Committee; and the draft lists of questions received from four members of the Committee. Further reference material included the declarations, reservations, objections and notifications of withdrawal of reservations relating to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/SP/1992/2); the analyses prepared by the Secretariat of the second periodic reports of Bangladesh, France, Nicaragua, the Republic of Korea and the United Kingdom, and of the third periodic reports of Rwanda and Sweden, as well as information material received from two non-governmental organizations.

24. In preparing the lists of questions, the pre-session working group followed the suggestion of the Committee, namely, to concentrate on a limited number of questions, to focus on analytical and qualitative aspects rather than on specific questions and to underline the achievements, remaining obstacles and matters in respect of which further information should be provided. The working group endeavoured to include questions that reflected, as far as possible, the Committee's more general concerns as they applied to the report in question. As in previous years, the working group allocated to each of its members the main responsibility and coordination for the preparation of a preliminary list of questions for one or two countries. Each draft was subsequently discussed, revised and amended. The lists of questions are contained in the report of the pre-session working group that the Committee had before it. The working group, as authorized by the Committee, transmitted each list of questions directly to the State party concerned. The lists were sent on 15 January 1993, after the last meeting of the pre-session working group.

H. Organization of work

25. The Committee considered its organization of work at its 210th, 213th and 214th meetings, on 19 and 25 January. In addition to the documents listed in paragraph 23 above and in annex V, the Committee had before it Economic and Social Council resolution 1992/17 and General Assembly resolution 47/94 on the Convention on the Elimination of All Forms of Discrimination against Women.

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* Replacing Ivanka Corti who was unable to attend.

I. Composition of working groups

26. At its 210th meeting, on 19 January, the Committee agreed on the composition of its two standing working groups: Working Group I to consider and suggest ways and means of expediting the work of the Committee and Working Group II to consider ways and means of implementing article 21 of the Convention.

27. Working Group I was composed of the following members of the Committee: Liliana Gurdulich de Correa, Zagorka Ilic, Lin Shangzhen, Pirkko Anneli Mäkinen, Elsa Victoria Muñoz-Gómez, Tatiana Nikolaeva, Ahoua Ouedraogo, Kongit Sinegiorgis, Mervat Tallawy and Rose N. Ukeje.

28. Working Group II was composed of the following members of the Committee: Charlotte Abaka, Ryoko Akamatsu, Emna Aouij, Gûl Aykor, Dora Bravo Nuñez de Ramsey, Carlota Bustelo García del Real, Silvia Rose Cartwright, Ivanka Corti, Norma Monica Forde, Evangelina García-Prince, Salma Khan, Lin Shangzhen, Teresita Quintos-Deles and Hanna Beate Schöpp-Schilling.

Working Group I

29. The Secretariat proposed the following draft programme of work for Working Group I:

(a) Improving the effectiveness of the consideration of reports;

(b) Reports to be considered by the Committee at its thirteenth session;

(c) Composition of the pre-session working group for the thirteenth session;

(d) Contributions of the Committee to international conferences and years;

(e) Issues arising from the fourth meeting of persons chairing the human rights treaty bodies and from General Assembly resolution 47/111;

(f) Programme of work for the thirteenth session;

(g) Draft provisional agenda for the thirteenth session.

Working Group II

30. The Secretariat proposed the following draft programme of work for Working Group II:

(a) Preparation of general comments and general recommendations with regard to article 16 and related articles of the Convention;

(b) Preparation of a response to resolution 1992/3, on contemporary forms of slavery, of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

31. At its twelfth session, the Committee considered the reports submitted by 11 States parties under article 18 of the Convention: three initial reports, one combined 12/ initial and second periodic report, six second periodic reports, one combined 12/ second and third periodic report and four third periodic reports. For the status of submission of reports by States parties, see annex VI to the present report.

32. The consideration of reports by the Committee is summarized below and contains a summary of the introductory presentation by the representatives of States parties, of the observations made and questions asked by the members of the Committee, as well as of the replies given by the representatives of the States parties present at the meetings. The summary records give more detailed information on the reports submitted by States parties. According to rule 49 of the rules of procedure of the Committee, representatives of States parties shall be present at meetings of the Committee when the State's report is being examined and shall participate in discussions and answer questions concerning the report.

B. Consideration of reports

1. Initial reports*

Iraq

33. The Committee considered the initial report of Iraq (CEDAW/C/5/Add.66/Rev.1) at its 212th, 213th and 216th meetings, on 20 and 22 January (see CEDAW/C/SR.212, 213 and 216).

34. In introducing the report, the representative of Iraq pointed out that the political leadership in Iraq fully believed in the principle of equality between men and women even before acceding to the Convention, as reflected in the relevant legislation. She then gave a detailed explanation of the central role being played by the General Federation of Iraqi Women, the machinery for promoting women's rights and implementing the Convention. She said that the Federation had proposed draft laws ensuring equal rights for women, suggested amendments to existing laws, participated in deliberations on laws related to the status of women, and studied and given opinions on all draft laws proposed by the competent authorities. The Federation also operated family counselling centres on family and legal questions, thus becoming acquainted with women's problems on a continuous basis, and either gave advice directly or liaised with the competent authorities. Its services reached out also to rural women. Furthermore, the Federation had disseminated laws and regulations relating to women by the publication of a handbook.

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* Including subsequent reports, if submitted, in those cases where the State party's initial report had not yet been considered by the Committee.

35. The Federation had proposed the formation of a national committee for following up the implementation of the Convention, identifying legislation that ran counter to its provisions. It had also submitted a number of proposals for promulgating, abrogating or amending legal provisions to make them compatible with the Convention.

36. The representative stated that the main obstacles to the implementation of the Convention were the outcome of historical circumstances that could not be overcome in a short period. They were the result of the economic, social and cultural backwardness of developing countries, the unjust world economic order, prevailing traditions and customs and society's vision of women. The most serious circumstance that hampered the implementation of the Convention was the economic blockade that had been imposed on Iraq since 1990, with its economic and social consequences and implications for health. Severe shortages of food and medical supplies could lead to famine in the country; prices of basic food commodities had risen sharply. The child mortality and morbidity rate had increased between 1990 and 1992. All those factors would result in a regression in the country's economic and social life.

General observations

37. Members of the Committee commended the report for its adherence to the general guidelines regarding the form and content of reports and the way it had been presented to the Committee. They welcomed also the fact that the country had sent a representative to present it, despite the difficult situation in which Iraq found itself as a result of the long war and the recent conflict with all its negative consequences for the status of women. They noted that the Government was making efforts to address the issue of the status of women. While members welcomed the fact that the issue of reservations had been addressed in the report, they found the reservations a matter of considerable concern. In noting the reasons given for entering reservations, they observed that there was a contradiction between the reservations and the view that the Shariah also guaranteed women equality with men, and that gender equality was guaranteed by the Constitution. Concern was shown because those reservations were of a fundamental nature and touched on the heart of the Convention. If the Government adhered to the principle of gender equality, as enshrined in the Constitution, it would have to amend the laws that were still discriminatory against women. However, the Government indicated that it did not believe in legislative shocks, and yet any new law constituted a kind of legislative shock. Members stated that such shocks were necessary if laws were to be progressive.

38. When members asked how the issue of gender equality was dealt with in the case of laws that still encouraged gender inequality, the representative explained that all legislation was drafted on the basis of the Constitution. It had to be implemented accordingly, except when it was in contradiction with the Shariah.

39. Members of the Committee said that although the situation of women in Iraq was one of the most advanced in the region, and the Government had made great efforts to achieve gender equality, it would be desirable if it were to carry out that task with a stronger sense of commitment and to envisage reconsidering the issue of reservations with the goal of removing them, especially those concerning articles 2, 9 and 16 of the Convention. The representative stated that a high-level committee had been set up with the President's approval especially for reconsidering the issue of reservations. The entering of reservations had stemmed from the Government's interest in implementing the Convention faithfully, but the reservations were not meant to delay or hamper

the advancement of women. Iraq had enacted many laws in favour of women and had dealt flexibly with the provisions of the Shariah in a way that was best suited to the goals of the Convention.

40. In noting that an impression had been given that the Government was more concerned with making women into good citizens than with trying to obtain for them equal rights and equal opportunities, members said that the conditions of women would not improve as long as old habits prevailed. Asked whether statutory provisions and customary laws were the same for all women, regardless of race and religious belief, the representative said that, except for the provisions of the Shariah, all others were generally applicable, irrespective of sex and belief.

41. Members asked whether Iraq had also entered a reservation to the International Covenant on Civil and Political Rights and its Optional Protocol or to the International Covenant on Economic, Social and Cultural Rights with regard to the rights of women.

Questions related to specific articles

Article 2

42. Members of the Committee praised the active and varied role played by the General Federation of Iraqi Women. Asked whether the Federation reflected only the Government's views, whether women were obliged to join and whether there were any other women's organizations and, if so, what their methods were to advance the status of women, the representative explained that the Federation was a mass organization with political goals, the establishment of which had been approved by the Government, which supported it. It had legal competence and was morally, financially and administratively independent. Membership was not mandatory.

43. Talking about the way in which the Federation was involved in politics in Iraq, the representative stated that members of grass-roots organizations could participate in its discussions and that they had the right to vote in the national elections.

44. Questions were also asked about the election of the officers of the Federation and the kind of practices that it had changed or abolished.

45. In reply to a question, the representative stated that other political women's organizations also existed, but none of them enjoyed the popularity and expertise of the Federation.

46. Although the provisions of the Convention might be invoked in the courts, there had not been any cases of women having recourse to law courts in matters of discrimination.

Article 3

47. Further explanations were sought regarding the data given in tables 1 and 2 of the report and their relationship to the Government measures; it was felt that they were contradictory to the data given in table 18 of the report.

Article 4

48. As the report had not spelt out any actual temporary special measures, it was asked whether any such measures had been taken or whether the reference to them in the report constituted only a declaration of intent.

Article 5

49. Asked how the obligation of obedience on the part of women to men was compatible with the principle of gender equality, the representative said that obedience was based on mutual respect and that Iraqi law had departed from the principle of arbitrary obedience. A woman was not obliged to live with her husband under certain circumstances, such as in cases of marital violence, lack of adequate financial support, contraventions of laws or the Shariah, or failure to pay the dowry.

50. Asked about the type of legal and practical measures taken in those cases, the representative said that, in the case of marital violence, a wife might request a separation before the competent courts, she might institute legal proceedings or ask for compensation for the moral or material harm inflicted upon her. The condemnation of the husband, which could be followed by imprisonment or a money fine, might be used as a ground for divorce.

51. As to the means undertaken by the General Federation of Iraqi Women to protect female victims of violence, the representative said that their affiliated family counselling centres used a certain formula for the friendly settlement of family disputes or else they might refer the matter to the competent courts. No statistics were available on the incidence of violence against women. Members also asked what the concept of the "biological function" of women and men was in the policies of the Government.

52. In an additional comment, members observed that the one-sided duty of the wife to be obedient to her husband was contrary to the principle of equality.

Article 6

53. Asked about the effects that the law had on combating prostitution and whether, through its enforcement, prostitution and traffic in women could be eliminated, the representative said that the phenomenon could not be stamped out through a law. However, the establishment of rehabilitation centres was aimed at preventing the recurrence of prostitution. An active role in the rehabilitation process was also played by the General Federation of Iraqi Women in administering health services, organizing educational seminars and providing financial support. But the economic blockade of the country made the provision of all those measures rather difficult.

Article 7

54. Referring to questions about the conditions for voting and being eligible to be elected to the National Assembly the representative said that the general age at which one could vote was 18 years; in certain cases, it was not less than 25 years, and it was necessary that one had Iraqi nationality and that one's parents had Iraqi nationality. The conditions were the same for women and for men.

55. The electoral system in Iraq involved voting for individual candidates rather than for lists of candidates. After the 1988 elections, the percentage

of women in the National Assembly was 10.8 per cent. No quota regulations existed.

56. No statistical data were available for the percentage of women voters in the 1980, 1984 and 1988 elections, nor were explanations given on which method was applied for selecting candidates.

57. Regarding observations made by members on the low percentage of female members of political parties, the low representation of women in the judiciary, and women's absence at high-level posts in executive bodies, and regarding questions whether the reasons were lack of interest on the part of women, lack of equal opportunities or lack of the necessary encouragement, the representative stated that there were some women, although the percentage was still low. The reasons were partly illiteracy, women's unawareness of their political rights, and the preference that women gave to family obligations. Efforts were being made to increase the percentage of women in the judiciary because they had proved themselves to be capable in that field. As a result of their efficiency, women were gradually gaining self-confidence.

58. Regarding the request for statistical data on the participation of women in public administration, in general, and the percentage of women with university degrees in high-level public administration positions in particular, the representative referred to tables 1, 2-11, 13, 15 and 22 of the report.

59. No data were provided on the percentage of women in political decision-making positions nor was any answer given to the question whether political parties had their own women's organizations.

60. The representative mentioned awareness-raising programmes and seminars to encourage the political participation of women. There was also a women's magazine that dealt with economic, political and educational issues from the perspective of women. Unfortunately, its distribution had had to be suspended in the wake of the economic blockade.

61. Asked why the service of women in the army was limited to some well-defined ranks, the representative commented that military service was not compatible with the biology of women, and that data would be supplied in the subsequent report.

62. Referring to a request for more information on women in what had been referred to in the report as the autonomous region of Kurdistan, she explained that there was no inequality between women and men, they were governed by the general laws and there was a regional legislative assembly.

Article 9

63. Members urged the Government to review its Nationality Act of 1961 with a view to eliminating gender discrimination. The representative explained that, in the case of a marriage between an Iraqi woman and a foreigner, the man could not acquire Iraqi nationality nor were the children of such a union entitled to Iraqi nationality.

Article 10

64. Asked about the appropriate age for girls to leave school and get married or start working, the representative said that the parents would be sanctioned if they asked their daughters to leave school before they had completed

secondary school. Girls were allowed to start working at the age of 16 years. Although it was up to the parents to decide whether their daughters continued higher education, the State was trying to encourage the higher education of girls.

65. Regarding a request for further details on the status of the Comprehensive National Campaign for the Compulsory Eradication of Illiteracy, the representative referred to the information contained in the report.

Article 11

66. Asked for a further explanation of what seemed to be a discrepancy between the status of working mothers in the private and the State sectors with regard to maternity leave, the representative said that women working in the State sector had guaranteed paid maternity leave. Private employers could not be forced to grant the same benefits because even if they were obliged to grant them, they were still free to dismiss women wishing to take maternity leave. Although the General Federation of Iraqi Women had proposed certain measures to the authorities, it was difficult to implement them because of the economic blockade. Regarding the different retirement ages for women and men under the Workmen's Pension and Social Security Law of 1971, the representative said that that provision did not constitute discrimination because women were not forced to retire at the age of 55, but could choose to do so if they so wished.

67. Regarding a clarification of the reasons for the decrease in the number of nurseries and day-care centres, as set out in table 19 of the report, and the simultaneous increase in the number of working women in Iraq, the representative said that after the long war, the State was in favour of private day-care centres.

68. Concerning the protective legislation provided under article 81 of the Labour Law of 1987, and related questions about the type of hard work and work harmful to women's health that was prohibited, whether such prohibition was justified for objective reasons and whether it did not lead to discrimination, the representative said that there was no inventory of jobs in that category, but that the provision concerned jobs that were not compatible with the biology of women.

Article 12

69. Asked whether women's health, in general, was protected by legislation or whether the Law of Public Health of 1981 referred only to motherhood, the representative stated that adequate health services were provided free of charge to everyone.

70. Regarding questions relating to the practice and number of abortions, and to the availability, legal coverage and easy accessibility of family planning means and methods, the representative stated that abortions were generally considered to be against the provisions of the Shariah, but for medical reasons they could be carried out in public hospitals, but not in private clinics.

71. Asked about the percentage of maternal mortality, the representative said that the maternal mortality rate had been rising since the blockade, especially as a result of malnutrition, weakness and anaemia.

72. Considering comments on the high percentage of women undergoing surgery, the representative said that abortions could be included in the figures given in

table 21 of the report if they had been carried out on a medical prescription. Asked whether women doctors were employed only in government hospitals or also in private clinics, the representative said that the statistical data covered only women doctors in public hospitals.

Article 13

73. Regarding a request for further clarification on women's access to credit, and questions whether the beneficiaries were only public administration officials or also rural or even illiterate women, the representative said that loans were given to rural women if they were landowners; however, the granting of loans had generally been reduced as a result of the blockade.

74. In an additional comment, further clarification was requested on the access of women to credit, bearing in mind that credit constituted the doorway to economic activity for women.

Article 14

75. Regarding a request for more information on the measures that existed to ease the situation of rural women, the representative referred to the information contained in the report under article 14. She also said that women were able to conclude contracts with cooperatives in their own name.

76. A clarification was requested of the statement in the report that the application of laws and regulations to rural women still left "something to be desired". It was asked whether it was because of lack of information, illiteracy, discrimination on the part of banking institutions, pecuniary problems or lack of self-confidence on the part of women. It was also asked what were the reasons for, and what was the percentage of, farmers' households that were headed by single women.

Article 15

77. The representative said that the judicial proceedings were in conformity with the Convention. No information was given on how the legal provisions that protected women's rights were disseminated.

Article 16

78. Members welcomed the extensive explanations in the report in connection with article 16, but they commented negatively on the persistence of polygamy in Iraq. Referring in particular to a decree of 1991, according to which a loan of 7,000 dinars was granted to any man who married a war widow, it was commented that such an encouragement of polygamy was unacceptable. Asked whether the decree had been promulgated and whether its provisions were subject to any limitations, the representative said that it was of a temporary nature and had been put into force for the protection of women before the outbreak of the war. Widows of men who were termed "martyrs" were granted lodging, a vehicle, financial facilities, credits and higher salaries.

79. No information was supplied on the incidence of polygamous marriages and on whether women wished to change the system of polygamy. However the representative explained that, in Iraq, polygamy was allowed only under certain very strict conditions, as set out in the report. In case of non-compliance, the consequences were three to five years' imprisonment for the husband and the possibility for the wife to request a divorce.

80. The minimum marriageable age was 15 years for both girls and boys with - and 18 years without - parental authorization. With regard to the reason why a mentally ill person could contract a marriage, but why such a person's divorce was not valid, the representative said that, under the Shariah, a mentally handicapped person could conclude a marriage if a certificate, signed before a competent legal authority, indicated that the spouse was aware of the handicap and was still prepared to enter into the marriage. In such a case, no divorce based on the existence of the handicap could be granted later.

81. In clarifying the term "legitimate woman" in the definition of a marriage contract in the report, the representative said that the term was really "legitimate wife", thus excluding sisters and other close relatives.

82. Asked about the possibilities for a woman to obtain a divorce and whether they were identical for both spouses, the representative referred to the information contained in the report and said that both spouses could request a divorce for certain well-specified reasons. The marriage could also be annulled if it had not been consummated within two years, if the husband had a contagious disease or if he refused to contribute to the wife's maintenance. A woman could also divorce her husband for lack of harmony, a very common ground for divorce, which could encompass many reasons. After divorce, the woman was entitled to reside for three more years in the marital domicile. If the husband divorced his wife without an acceptable reason, the wife could request financial compensation. If a marriage was contracted under duress or with the use of violence, the perpetrator was imprisoned for 3 to 10 years.

83. Information was requested on whether the provision under which "a mother is more entitled to the custody of her child during her marriage", and after separation, conformed to the Shariah. Members also asked whether the General Federation of Iraqi Women had been opposing the current practices and laws in family relations and whether there were any other areas in which personal laws had such a strong impact on the status of women in Iraq as in the field covered by article 16 of the Convention.

84. In additional comments, the representative pointed out that the example of other Muslim countries showed that it was possible to base the provisions in force on secular laws rather than on the Shariah, and consequently to do away with polygamy. Even if all legislation remained within the purview of the Koran, new interpretations could be found in order to change the policies of the country.

Concluding observations

85. The representative of Iraq stressed the political will of her country to implement the articles of the Convention with the aim of promoting the social, economic and cultural status of women. In spite of the difficult situation brought about by the war, the country was pursuing the goal of progressive legislation. Women faced obstacles that had to be periodically reviewed in order to abolish discriminatory laws. Another obstacle was the psychological reluctance on the part of both women and men to accept the enacted new laws. But the backwardness of developing countries in general and the economic blockade had most severely harmed the situation of women.

86. Members commended the informative replies given by the representative of Iraq and expressed understanding for the difficult economic and political conditions in which the Government was trying to promote the advancement of women. It was hoped that the subsequent report would be submitted as early as

possible and that it would contain details about the number of women and children that had been affected by military action and the blockade. Members commended the political determination of Iraq to improve the status of women in the process of modernization; however, they questioned how progress could be achieved if the reservations to the Convention were maintained.

Kenya

87. The Committee considered the combined initial and second periodic reports of Kenya (CEDAW/C/KEN/1-2) at its 217th, 218th and 221st meetings, on 25 and 27 January (see CEDAW/C/SR.217, 218 and 221).

88. In introducing the report, the representative of Kenya emphasized that societal and cultural attitudes remained major obstacles to the achievement of full de facto equality between men and women. She outlined the measures that had been taken by the Government to implement the Convention in the light of the situation of women in the country and the country's culture and values.

89. She indicated that, despite the progress made in achieving de jure equality, women continued to be discriminated against because of their economic situation and lower standard of education, the various laws governing marriage and divorce, and the fact that women workers were concentrated in the private sector. She stated that the traditional inferior status of women was reinforced by the predominance of marriages under some form of customary law that limited women's rights. Discrimination manifested itself also at the level of decision-making, where women were few.

90. There had been encouraging achievements, however, through policies, programmes and projects. She stated that the Women's Bureau, which the Government had set up as a division within the Ministry of Culture and Social Services, recognized the need for a gender and development policy and, in 1988, it had started to develop a national policy providing guiding principles that would influence the national and sectoral planning process and lead to the overall goal of putting gender concerns in the mainstream of the development process. The task of the Bureau was to ensure that the Government's policies diminished gender disparities.

91. The report gave a detailed account of the measures adopted by the Government in its implementation of the articles of the Convention, particularly its efforts to ensure equal access to public services, such as health care and education, and to allow the full participation of women in public and political life. The representative described the measures taken by the Government aimed at improving the economic situation of women, particularly in the framework of agricultural policies.

92. She also stressed the important role of women in national development, particularly after independence in 1963. The Government had shown its sincere commitment to, and acceptance of, its obligations under the Convention, but the few areas that might need some change were those affected by customary laws and cultures.

93. In commenting on the various articles of the Convention, the representative drew the attention of the members to the areas that might need changes or amendments, and which were affected by customary law and culture. She also described the Law Reform, the 8-4-4 system of education that did away with the

stereotyped roles of men and women and the registration of various laws on marriage and divorce.

General observations

94. In its general comments, the Committee expressed its appreciation of the fact that Kenya had ratified the Convention without reservations, and for its frank and comprehensive report giving a clear picture of the real situation of women in Kenya, as well as the obstacles encountered. The efforts to overcome discrimination made by Kenya since the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi in 1985, and the priority given to implementing the Convention, were noted, especially in the light of the difficult economic conditions that the country was facing. One of the members expressed her concern that the report had not complied with the general guidelines regarding the form and content of reports and she suggested that, in future, Kenya should seek assistance from the Secretariat. The members also expressed their concern that the report did not contain sufficient statistical information.

95. More information was requested on de jure and de facto discrimination and how the Convention was applied in Kenya. The Committee suggested that the Government needed to take action to eliminate conflicts between laws, customary practices and the economic situation.

96. Members acknowledged that the report had to be viewed against a background of specific cultural attitudes, which had a bearing on the situation of women in Kenya, and the coexistence of a different system of law. Some members observed that, despite the high percentage of women voters, women were hardly represented in higher political office. It would be difficult for women to promote themselves if they could not participate in the planning and development of the country.

97. It was also noted by the Committee that, although women had been promoted to senior posts and high diplomatic posts, their numbers were still few. There were programmes and projects relating to different groups of women. It was noted that in the area of finance, the Government was taking action. Basic education for children and vocational training were offered, as well as scholarships. There were health programmes for both urban and rural areas. The Committee also noted that socio-cultural prejudices still prevailed and considered that there was a need for a continuous effort to overcome them. Literacy was considered a keystone to the solution of problems and, since half of the female population was illiterate, the Government and the women's organizations faced an urgent task. If illiterate women could not understand the information distributed, they could not take part in the decision-making process. With regard to illiteracy programmes, members asked whether women were restrained from going to classes, whether family obligations were an obstacle to senior training positions, and whether measures were being taken to address the situation and, if so, what those measures were.

98. In regard to the Convention and internal legislation, the Committee wanted to know what proposals had been made to ensure the development of domestic legislation and which areas were being looked into.

99. A member wanted more information on the decentralization of women's programmes in rural areas and the objectives, and on what was being done in order to establish the legal principle of cultural criteria in respect of articles 15 and 16 of the Convention. Other members considered that the

Government was aware of the discriminatory provisions in the legislation that were still directed to women. The Committee emphasized that awareness was the first critical step. In that case, the Committee stressed that the Government should move ahead and correct those laws that were discriminatory and that it should preserve the cultural integrity of its peoples, most importantly the integrity of women.

Questions related to specific articles

Article 2

100. With regard to article 2, the Committee noted that the Law of Succession Act of 1981 was mentioned in the report, and wished to have more detailed information on that Law in relation to women and how effective it was in the context of ethnic diversity. The Committee noted that the Constitution of Kenya defined discrimination in a manner that could allow discrimination against women, in that the word "sex" was not included in the article defining discrimination. The Committee asked about the process of reform, as well as the customs and practices that discriminated against women, and asked whether the concept of discrimination based on the grounds of gender would be added to the Constitution. In replying to the question of amending the definition of discriminatory treatment, the representative pointed out that the word "discriminatory" under the Constitution reflected the reality under the Kenyan Law and thus once other areas of personal law had been tackled, then a proper definition would fall into place. It was in that context that the question of harmonizing the different marriage laws had been studied.

101. In noting the tremendous workload of the Law Reform Commission, the Committee wanted to know what its programme was, the kinds of law and subjects with which it dealt, its timetable, and the means it had at its disposal. In response, the representative said that the major function of the Commission was to ensure the systematic development and reform of legislation, including in particular the integration, unification and codification of laws, the elimination of anomalies, the repeal of obsolete and unnecessary enactments and the simplification and modernization of laws. There were two women members on the Commission; one was a judge and the other was the first woman town clerk.

Article 3

102. In regard to the Women's Bureau, members sought more information on the number of its staff members, how it was organized, whether the Director-General was a woman and whether it worked well with the staff and budget assigned to it. In reply, the representative said that the Bureau's aim was to improve the quality of women's lives by facilitating a wide range of activities in economic development, education, training and research. Its functions were concerned with the identification of areas, projects and institutions of special importance for achieving equality in women's lives; the promotion of education and training for women; the conduct of research for gathering and disseminating information on women's activities; the provision of advice to the Government on policy projects; and serving as a channel through which non-governmental organizations could give assistance to women. She added that the Bureau was composed of eight units headed by a Director, it was the body concerned with defining policy on women's issues for the Government, and its annual budget was 25 million Kenya shillings. In answer to a question, she said that the Maendeleo ya Wanamake Organization was a non-governmental organization that had previously been affiliated to the ruling party, the Kenyan African National Union (KANU).

Article 4

103. With regard to the District Women's Development Committee, members inquired about its role in Government policy-making, whether it could propose special temporary measures to improve the status of women, how its members were elected or appointed, how it was organized, whether it had its own budget, whether there had been a debate at government level concerning affirmative action, and whether there were any requests from women's groups for positive measures.

104. With reference to circumcision, the Committee asked whether it was appropriate to consider addressing the problem of female circumcision of girls in the context of the temporary special measures foreseen under article 4 of the Convention. The representative replied that female circumcision was disappearing rapidly owing to the high level of female enrolment in primary schools and as communities became more enlightened.

105. The Committee noted with concern that there was no information provided in the report on the subject of specific problems met by women. Questions were raised as to what could be done, whether there were obstacles to the provision of measures and why the Government had not undertaken special measures.

106. Regarding women's organizations, the representative said that those organizations were very active in the advancement of women. Issues raised by such bodies were often taken up by the Government and given due consideration.

Article 5

107. Members took note of the new syllabus of the 8-4-4 system of education and expressed concern about women's inferiority in Kenya. Other members noted that there was a contradiction between what was asserted in the report under article 5 regarding the overhaul of the education system and what was said about the 8-4-4 system of education having done away with sex stereotyping. They requested further elaboration and details of the curriculum of the 8-4-4 system. The representative explained that the system had been introduced seven years previously. It had helped young people to change their attitudes in regard to the roles of men and women. She added that there was no contradiction as the aim of the system was to eliminate the stereotyped roles of men and women. For example, under the system's syllabus, both girls and boys were taught cooking, sewing, construction and agriculture, as well as traditional arts and science subjects.

108. With regard to an additional question regarding the St. Kizito incident in which 19 girls had died from abuse by young men in 1991, and the types of discussion that had taken place, the representative explained that it had been a painful experience for the country. The saddest aspect was that it had been a crime committed by children on children. She informed the Committee that the Government had taken prompt action to punish the offenders.

109. In regard to violence, more information was requested on the legislation on rape, domestic violence and sexual roles in the workplace, as well as legislation on the trafficking of women and voluntary prostitution. Members asked whether the legislation was being effectively enforced. The representative explained that violence against women came in different forms; for instance, prostitution was treated as violence against women, which was a crime under the Penal Code. Rape was a crime punishable by life imprisonment. Cruelty was a ground for divorce. In addition, assault and sexual harassment were penal offences, whether at home or at the workplace. She also informed the

Committee that, in collaboration with the Public Law Institute, the Women's Bureau had initiated a legal education programme, which was aimed at creating awareness of the legal rights and obligations of women. A major campaign had been launched entitled "Violence against women" and governmental and non-governmental bodies were being sensitized to play a role in implementing the Convention. More statistical data were needed on the results and obstacles that the legislation was encountering, and the other measures that had been taken to change stereotyped images of women.

Article 6

110. As the report had indicated that prostitution was illegal in Kenya, the Committee wanted to know about measures taken to rehabilitate prostitutes; the average age of females who practised prostitution; the sanctions imposed for offences of prostitution and whether they were also imposed for both men and women; whether prostitutes had access to contraceptives to protect them from the human immunodeficiency virus (HIV); and whether prostitutes were exposed to violence in Kenya. Some members expressed concern that there was no judicial information concerning the question of prostitution. Questions were asked on the milieu of the girls, the type of girls and the principal measures being taken to combat prostitution. In reply, the representative said that it was an offence under the Kenyan Penal Code for anyone to procure or attempt to procure any girl or woman for sexual purposes. She explained also that the Immigration Act further prohibited a prostitute or a person living on the earnings of a prostitute from entering the country, which also prevented women or others from trafficking in women for immoral purposes. There were no specific measures to protect those women against the acquired immunodeficiency syndrome (AIDS), as the Government sought to eliminate prostitution, and the programme against AIDS was directed to the entire population. Many non-governmental organizations and church groups, however, worked on rehabilitation programmes for prostitutes, especially the young ones.

111. Members requested more detailed information on the Penal Code.

Article 7

112. Members asked what was meant in the report by "hiring women". With regard to a question about women in higher levels of government decision-making, the representative informed the Committee that, currently, there were two women permanent secretaries. One was in charge of the Ministry of Commerce and Industry, and the other was in charge of the Ministry of Foreign Affairs and International Cooperation.

113. The Committee wished to know what the Women's Bureau was doing to increase awareness of the need to place women in higher positions, whether KANU had a special programme to encourage women to participate in politics at the local and national levels, and whether women had the same financial support as men for their electoral campaigns. With regard to women in politics, the representative explained that the awareness-creation of the democratization process among women had produced encouraging results during the elections on 29 December 1992. Initially, 80 women had shown interest in representative leadership. Eliminations at the party preliminaries had left 20 women to compete for leadership against their male counterparts for 188 parliamentary seats. Six of them had been elected to the Seventh Parliament, the highest number of women since independence. The only woman elected within KANU had been appointed as Assistant Minister in the Ministry of Culture and Social Services.

114. The Committee noted that half the members of KANU were women yet there seemed to be a general decrease in the number of women in politics. The Committee wished to know whether that was a real indication of women's interest in politics or whether it was party propaganda. Furthermore, the Committee inquired whether women were being nominated in risky seats, which discouraged them from seeking election, or whether there had been negative reporting that hindered women. More details were requested on the distribution of women who took an active part in politics.

Article 8

115. The Committee wished to know the percentage of women in the diplomatic service. The representative indicated that over 40 per cent of the officers in the Ministry of Foreign Affairs were women. She added that, in 1992, 27 per cent of the officers posted outside the country had been women.

Article 9

116. The Committee noted that the nationality law was not in conformity with the Convention, and inquired about the Government's schedule to change the situation. A further question was asked regarding the nationality of a Kenyan woman who married a foreigner. The representative noted that any Kenyan woman who married a foreigner remained a Kenyan citizen until such time as she renounced her nationality.

Article 10

117. The Committee noted with concern a contradiction in the report (paras. 33 and 34) and wanted to know what the Government was doing to correct that contradiction in the education of boys and girls. Questions were raised about the literacy rates of both men and women. The Committee also expressed its concern over women drop-outs and suggested that, in the next report, consideration should be given to the need for specific programmes for them. The Committee also noted that there were persistent discriminatory regulations in the report.

118. The Committee asked whether basic primary-school education was compulsory; why there had been a decrease in the numbers of pupils enrolled in 1985/86; whether there was segregation in high schools; and whether coeducation was part of the formal education in Kenya.

119. Questions were raised about whether the diplomas given by other institutions had the same value as diplomas from State schools, and what percentage of the students in elementary and secondary schools were boys and what percentage were girls. The representative confirmed that coeducation was prevalent at all levels and that basic education was compulsory.

120. There was a higher representation of girls than of boys in art subjects, and the Committee asked about the reasons for that. The representative said that the syllabus for all schools was the same for both girls and boys; however, there were some schools that were insufficiently equipped for science subjects and therefore a larger number of students took art subjects. She explained further that that was not a deliberate discriminatory move against girl students, but was a part of the problem of a developing country. In answer to a question about the content of family-life education, she said that such education was included in the curricula of primary, as well as secondary

schools. Churches and other non-governmental organizations had also taken an interest in family-life education in schools.

121. The Committee requested more gender-disaggregated information on school leavers in the third periodic report. Members asked why there were more girls among the school leavers, why there were separate and fewer centres for girls, and why there was a difference in the instruction received by girls and by boys at schools. Members emphasized that that situation would have an effect on employment opportunities. They also asked why there were so many drop-outs among girls and whether reasons were financial.

Article 11

122. Members observed that the National Hospital Insurance Fund discriminated against married women except when they were the principal income-earners. They also observed that social and cultural prejudices still existed in Kenya. Questions were raised about the kind of training courses from which women were barred by their family obligations. With reference to the housing allowance, the Committee noted that the civil service code of regulations denied married women such an allowance, except in a few specific instances, and wanted to know what those specific instances were.

123. In reply, the representative said that with the advent of the multi-party era, the Government had granted married women a housing allowance with effect from 1 December 1992.

124. Members noted that most women in the civil service were being encouraged to work on contractual terms, which had the effect of hampering their rise to senior positions. The Committee wanted to know whether the Government Circular of May 1989 was benefiting women.

125. Information was sought on whether women were entitled to maternity leave and whether they had the security of keeping their job after maternity leave. The representative explained that women were paid while on maternity leave, they did return to the same job after such leave, and they had job security.

126. Responding to a question about the existence of child-care facilities for working women, the representative said that there were kindergartens and nursery schools; however, most working women had a household help to whom they entrusted the care of their children.

Article 12

127. Members asked whether training was provided to traditional birth attendants to enable them to upgrade their practices and make them safer. The representative confirmed that traditional birth attendants were trained by the Ministry of Health and provided with the necessary surgical equipment. In noting that the average life expectancy of women had increased from 46 years in 1965 to 56 years in 1984, the Committee asked whether the life expectancy of men had increased, and whether there were any statistics. The representative reported that life expectancy at birth in 1965 had been 50 years for females and 46 years for males, while in 1989 it was 61 years for females and 57 years for males, an increase of more than 10 years for both sexes.

128. Members requested information about campaigns to combat the spread of HIV/AIDS; sexual education; and the promotion of contraceptive measures. It was suggested that particular attention should be given to the health of women. The

need for AIDS education programmes, for both women and men, was stressed to facilitate the prevention of its possible spread. More information was requested about the Presidential Decree Banning Circumcision, its effects and implementation. In addition, members asked whether there was any information on programmes reducing female circumcision. They also requested more information on legislation and statistics on abortion.

129. In reply to the question whether pregnant teenagers had difficulties in being accepted by their families or society, the representative pointed out that, although teenage pregnancy was not acceptable, families did not reject girls who had become pregnant. Often the grandparents took care of the infant and the young mother went back to a new school. In addition, counselling and guidance on sex prevention was provided in schools by non-governmental organizations. Since abortion was illegal in Kenya and carried penal sanctions, it was difficult to provide statistics on clandestine abortions.

130. She said that the Family Planning Association of Kenya offered information and created awareness about family planning. For example, in Nairobi, there were more than 14 clinics offering family-planning methods, which served both men and women. The use of contraceptives was increasing. In 1989, the Kenya Demograph Health Survey had recorded a 27 per cent level of contraceptive use compared with 17 per cent in 1984 and 7 per cent in 1977/78.

131. Regarding the use of contraceptives and the decline in fertility in one area in Kenya, the representative reported that the prevalence of contraceptives had risen to a level rare in rural Africa, and that fertility rates had declined. In addition, the contraceptive methods used were predominantly highly effective ones. Child-bearing had come to be seen as an aspect of life over which control could and should be exercised.

132. Concerning the availability of prenatal clinics, the representative stated that Kenya had witnessed a great improvement in health and nutrition, as well as greater access to services and amenities through the initiatives of the Government and non-governmental organizations. The maternal, child-health and family-planning activities were aimed at reducing both maternal mortality, by increasing women's access to high-quality health services, and total fertility rates, by promoting the use of contraceptives.

133. As a result, traditional practices, such as nutrition taboos, female circumcision and child marriage were on the decrease. Sex education was provided through counselling and guidance in schools, but had not yet been widely accepted as part of the school syllabus.

Article 13

134. The Committee asked about the kinds of plan the Government had to deal with the system of family benefits. The representative stated that, with effect from December 1992, married women were entitled to obtain a housing allowance.

Article 14

135. Members asked about the measures taken to improve farmers' accessibility to agricultural credit and loans. In regard to rural women, a member asked whether women were aware of their rights. Members expressed their desire to know whether there was a contradiction in the Law of Succession Act, and asked for clarification. The representative replied that the Law of Succession Act provided a uniform code as far as devolution of property on death was concerned,

and it gave both men and women the equal right to inherit, own and dispose of property. The interest of the widow was paramount to any other interest and the Law was only invoked to ensure that the children were being adequately taken care of.

136. Members were concerned that there was scarce information on land ownership, and asked whether there was any provision that men should own land and, if so, what the situation was and what was being done to improve it. The representative replied that land ownership was governed by the Registration of Land Act. Most of the land in rural areas was not registered. Once the family decided to register the land, such registration was usually in the name of the husband alone; however, as more women became aware of the benefits of owning land, more of them were insisting on the joint registration of family property. In addition, the Ministry of Lands and Housing was not concerned about whether women owned land or not, but the Land Control Board regulations required that, in all transactions, the consent of the wife or wives was necessary beforehand.

Article 15

137. The members noted that the Law of Domicile discriminated against women, affecting also the status of other rights within the family, and asked whether there was any attempt to change that law. Considering that some laws discriminated against women in Kenya, members asked whether women addressed themselves to the courts and, if so, how successful they were. The representative said that a new policy was being developed by the Women's Bureau on laws that appeared to discriminate against women. She added that women did have recourse to the courts and that the courts decided according to the merit of the case and the applicable law.

138. As it was stated in the report that various rights were governed by the customary law governing men, a member asked whether there was any kind of information or advisory service to create awareness on the part of women.

Article 16

139. Members asked for information on measures contemplated by the Government to unify marriage and divorce laws, and asked whether women could be assured that rapid changes would take place in the family law system in Kenya. They noted with concern that there were several laws governing marriage and divorce, based on the different major religions recognized in the country, but in every case women were still discriminated against, and they therefore urged the Government to take the necessary action. The representative stated that the Marriage Bill was an attempt at such unification; however, a male-dominated Parliament influenced the types of laws that were enacted and had caused the Bill to be shelved. With regard to appropriate measures to eliminate the contradictions between laws, customary practices and the economic situation, the representative said that customary and traditional practices were dying out; thus, for example, polygamy was being stamped out slowly as first wives found the practice unacceptable and it was not economical for a man to have more than one wife. Furthermore, there was a rise in the number of single mothers and female-headed households.

Concluding observations

140. Members of the Committee thanked the representatives of Kenya for the efforts made to provide such detailed and frank explanations. Some of them recognized that the implementation of the articles of the Convention required much further action by the Government and that significant legal changes were needed to bring legislation in Kenya into line with the stipulations of the Convention.

141. The Committee noted that some problems faced by women in Kenya were related to tradition and customary practices. One member considered that the question of prostitution required close monitoring.

142. The Chairperson expressed her appreciation of the report. The discussion had taken the form of a thorough dialogue that had shown the Committee's interest in the report. She stressed that the implementation of the Convention would contribute to all fields of development within Kenya and expressed the wish that she would see, in the future, the country's progress and further implementation of the Convention. She believed that, in the near future, the Government would be able to achieve much more.

143. She added that it was most important for the Committee to identify the policy and trends in regard to women's problems and sufficient information had been obtained to identify those problems. Furthermore, positive trends were welcomed and encouraged. She encouraged the Government to show even greater progress in its third periodic report and hoped that it would take strong measures to eliminate old stereotypes that were curtailing the role of women and to address consciousness-raising campaigns to both women and men to allow women to be able to contribute effectively to society.

Romania

144. The Committee considered the initial and combined second and third periodic reports of Romania (CEDAW/C/5/Add.45 and CEDAW/C/ROM/2-3) at its 209th, 210th and 215th meetings, on 18, 19 and 21 January (see CEDAW/C/SR.209, 210 and 215).

145. In introducing the reports, the representative of Romania stated that the first part of the combined second and third periodic reports gave information on the changes in the political life of the country after the revolution of December 1989 and on the new laws referring to the rights of women. She said that, after the revolution, the country had reverted to a State based on respect for the rights and freedoms of all human beings; restrictive legal provisions had been repealed and new laws adopted in accordance with the international obligations that Romania had assumed. Political pluralism was accepted as well as the right of association and the freedom to form trade unions and federations of trade unions. At the same time, Romania had become a party to several international human rights instruments. In order to respond to its obligations under those international instruments, Romania had amended many laws and put into force a new Constitution on 8 December 1991.

146. The representative said however that the actual situation did not match the legal one. There should be measures to guarantee women the right to participate equally in political life. A first step in the process of equal opportunity should be economic independence; however, the economic means were still inadequate to bring women into political life on an equal footing with men. She pointed out the important role being played by trade unions and said that no

women had, as yet, been elected to a position of leadership in the trade-union movement. The increased unemployment was in part caused by privatization in certain former State enterprises. On 15 December 1992, more women than men were unemployed and, among them, there were more women in the worker and semi-skilled categories than in the highly skilled professions. Many problems existed in the private sector with regard to the enforcement of social legislation.

147. The representative stated that in Romania, in the case of divergence between human rights and domestic legislation, international regulations took precedence over domestic ones. Women were represented in institutions of the new democracy, such as the judiciary. She said that non-governmental organizations played an increasingly important role and their objectives were to improve the status of women in society and to influence political factors. In the second part of her presentation, the representative enumerated all the legislative provisions in force corresponding to the substantive articles of the Convention and drew attention to the prevailing difficulties and problems.

General observations

148. Members of the Committee expressed their positive appreciation for the fact that Romania had sent a representative to present the reports to the Committee, because it had been waiting for them to be presented for a long time. They welcomed the country's transition to democracy, showed understanding of the difficulties involved in dealing with women's issues in times of governmental change and hoped that Romanian women would soon become aware of democracy and the importance of their political participation. They were concerned, however, that the Government had complied with neither the time-frame nor the format required for preparing and presenting periodic reports. One member said that after the political change had taken place in Romania, the initial report should have been withdrawn.

149. Concerning questions about the executive and legislative powers, forms of ownership and underlying principles of Romania, the representative referred to the "Basic document concerning Romania" and another document on judicial reform in Romania (both of which were given to the Secretariat), which gave an overview of the structure and principles of the country. She stated that, pursuant to article 1 of its Constitution, Romania was a republic and a social and democratic legal State, in which human dignity and the free development of the individual were the guaranteed supreme values. It was a pluralistic State with the twin chambers of Parliament exercising the only legislative power and independent judicial power.

150. In answer to a question on the extent to which women were part of the technical intelligentsia, the representative gave the following data from 1991: women held 44 per cent of jobs in industry; 56 per cent in telecommunications; 57.2 per cent in education and culture; 44.4 per cent in the health and social sector; 43.3 per cent in administration; and 43.7 per cent in scientific research.

151. Asked why there was so much passivity on the part of women, the representative said that all of the former socialist States had experienced a similar regressive movement of women. Although women were allowed to participate in all economic and social sectors, they were absent from the leading political positions. It was not so much a question of passivity on the part of women but rather the need for society as a whole to become used to the idea of political power-sharing. One could speak of real participation only if women shared political power equally.

152. In response to the remarks by members that the reports did not contain sufficient information about the status of women in practice, the representative replied that subsequent reports would contain more data about the de facto situation. Members pointed out that Governments that were experiencing difficulties in preparing their reports could ask the Secretariat for assistance.

153. Referring to the question whether a discrepancy existed between domestic legislation and international regulations, the representative said that, pursuant to its Constitution, Romania was obliged to implement in good faith the provisions of international treaties, that international treaties became part of the domestic legislation and that national laws should be interpreted in accordance with the stipulations in international treaties.

Questions related to specific articles

Article 3

154. Referring to the question whether the mechanism specified by the Committee in its general recommendation 6 (seventh session) 13/ had been set up to facilitate the implementation of a policy of equal opportunity for women and men and, if so, how it worked, the representative replied that no such central coordinating mechanism existed although several bodies and non-governmental organizations were dealing with gender equality in various fields. The representative noted that, while the need for such a national machinery was recognized, there was concern that it should take a form appropriate to the new political order and not simply adopt the ways of the past.

155. Regarding the preparation of the reports, the representative said that State organs as well as women's organizations were involved in their preparation and many contacts were established in order to identify the problems faced by women.

156. In additional comments, several members of the Committee reported on the experiences of their countries in, and after, establishing national machinery for the advancement of women, as a focal point where the voices of women and non-governmental organizations could be heard and all governmental efforts for the elimination of discrimination could be concentrated.

Article 4

157. The representative said that the statements in the reports to the effect that temporary special measures did not seem necessary, while achieving de facto equality required the fostering of social attitudes to eliminate discrimination, were in no way contradictory. The adoption of temporary special measures would indeed be desirable, especially in order to eliminate social prejudices and to change attitudes. Women's organizations were demanding the adoption of such measures and some special measures had already been introduced in response to actions taken by non-governmental organizations.

Article 5

158. In reply to queries raised concerning violence against women, and the somewhat contradictory statements, in the combined second and third periodic reports, "one cannot say that there is a phenomenon of violence against women" and "domestic violence does occur, particularly in the impoverished social sectors", the representative said that violence was just one of many crimes, but

it did not constitute a major national problem. Similarly, domestic violence was not a typical occurrence in Romania although it did exist for some very subtle, cultural reasons. No data on its incidence existed nor on the number of women who had been injured or who had died as a result of violence. So far, there were no shelters for battered women.

159. Asked about the number of complaints about cases of violence, the type of measures taken by the Government of Romania to combat violence against women and the attitude of the police, the representative replied that women were certainly not discouraged from lodging a complaint. Although there was no tradition in such matters, complaints were being lodged. The police intervened only in response to a complaint by the injured party. No statistics were available on the number of complaints that had been received.

160. Asked whether women's organizations had made the elimination of violence against women one of their concerns, the representative stated that the priorities of women's organizations were mainly the social and economic rights of women and not the issue of violence.

161. In additional comments, members showed concern over the issue of domestic violence and expressed the hope that the subsequent report would give more exhaustive information on the Government's interest in the issue and on the measures being taken to combat the problem.

Article 6

162. Asked whether the laws prohibiting traffic in women and the exploitation of the prostitution of women had led to a reduction in, or the elimination of, those offences, the representative said that the laws were being enforced. As a result of the changes in Romania, prostitution had started in spite of its prohibition; however, no statistics were available on its incidence or on the number of offenders that had been taken to court.

Article 7

163. Referring to the question why the number of women reported to be in top positions was much lower in the combined second and third reports than it had been in the initial report, in particular in the Cabinet and Parliament - whether it was because of fewer suitable candidates, a changed attitude on the part of the Government, a reduced interest of women in politics or the result of the new norms and policies - the representative said that the initial report had been prepared under the totalitarian regime and contained figures imposed by it. Women were, indeed, interested in politics: they had participated in the revolution. The Government had not adopted a new attitude towards the political participation of women nor had the conditions been changed, but they could no longer be imposed. The only measures that the State could take to encourage more women to be interested in politics would be juridical and administrative ones. There was no real explanation why women did not hold leading positions, but it was to be hoped that, after the achievement of economic power, the desired changes would follow at the political level.

164. The electoral system was universal and by secret ballot without any discrimination as to sex, race or religion. It was the same for the parliamentary and the presidential elections. There was no quota regulation for women.

165. Questions were asked about the rate of voting for women and men and the percentage of women and men in the electoral lists at the most recent elections.

166. The representative said that whether women candidates appeared on the electoral lists depended on the political parties, not on the electoral system. The National Women's Council had been abolished and a new, similar body, but in an improved form, was being created. The three women's associations listed in the report did not constitute an exhaustive list; there were many more women's organizations in different fields.

167. Replying to an additional request by a Committee member for comparative statistics on the withdrawal of women from political life in the former socialist countries, the representative referred to a meeting that the United Nations Educational, Scientific and Cultural Organization (UNESCO) had held at Prague in 1991, during which that common phenomenon had been noted. Other members stated that women ought to be made aware of the importance of playing an active role in the political life of their country. The representative explained that their current reticence was a reaction to the fact that, under the former regime, women had been forced to occupy certain positions.

Article 10

168. Asked about the number of women who worked as teachers in secondary schools and about the difficulties that the Government was experiencing in the process of setting up an educational system that eliminated discrimination, the representative referred to the information given in the combined second and third reports. She said that the new Government maintained the same positive attitude as the former one regarding education. Schooling was free of charge at all levels, and scholarships were available.

169. Regarding the question why within one minority group, the Roma, the drop-out rate from school was the highest and whether any programmes existed for their benefit, the representative said that the State was giving much support, training teachers and carrying out programmes for their overall integration into society; however, it was more a matter of trying to reorient the way of thinking of that group.

Article 11

170. Regarding questions relating to the equal access of women to professional posts, their representation in positions of responsibility at all levels and the proportion of women workers in decision-making positions in labour unions, the representative explained that women did, indeed, have equal and egalitarian access to professional posts. They were strongly represented at the expert level and were members of trade unions. Yet in no field had they achieved positions of power or leadership. As examples, the representative cited research jobs or the judiciary, where women constituted almost 50 per cent of the employees.

171. Working hours for both women and men were eight hours a day, five days a week. Women who worked under difficult conditions were allowed to work for only six hours a day, and mothers of children below the age of six could opt for part-time work.

172. In reply to requests for statistics on the number of hours a day that women doing paid work outside the house dedicated to domestic tasks, and the extent of men's sharing of the domestic burden with women, the representative said no such

data were available. Women certainly worked longer hours and were also burdened by the lack of adequate social assistance.

173. The law in Romania stipulated the principle of equal pay for work of equal value. During the transition period to a market economy, salary negotiations were being held with private enterprises. Asked about the existence of a system for assessing the value of different jobs, statistics on the wages of women and men in similar jobs, the income levels of women in general and the participation rate of women in the labour force, the representative promised that such data would be included in the subsequent report.

174. When members pointed out that the connection between extended maternity leave and the reduction of infant mortality would seem to make women who preferred to continue working and not take a long maternity leave solely responsible for infant mortality, the representative said that that was not the case. It was the women's choice to take extended maternity leave or not. While taking extended maternity leave and working shorter hours did affect the careers of mothers of children below the age of six, no figures were provided on the extent to which women availed themselves of those possibilities. In order to reduce infant mortality, the State had been providing health and social welfare measures. The representative made clear that maternity leave amounted to 112 days, not 11.

175. The representative said that women were very well represented in professions related to the arts, where they constituted 57.2 per cent of the employees.

176. In spite of the different retirement ages for men and women, women had the same pension entitlements as men. Regarding statistics on the unemployment rate of men and women, the representative referred to the data provided during the presentation of the report. Unemployment benefits depended on the age of the person, the professional sector and the number of years that he or she had worked. Currently, an appropriate level was being worked out that should allow women to maintain a minimum standard of living. The training of women for new jobs was one of the means to reduce unemployment, for which appropriate funds were earmarked in the unemployment fund, which received contributions from State and private enterprises.

177. Asked whether the situation of women in the workforce had changed in law or in practice after the revolution of 1989, the representative said that there were sufficient laws from the time before the political change. The only new law dealt with professional competence. However, the Government was trying to find adequate resources for putting the laws into practice.

178. Dealing with questions regarding a ban on night work for pregnant women and nursing mothers, or for women in general, and possible negative consequences for women's careers, the representative said that there was no such general interdiction and that specific jobs could be performed at night.

179. Referring to the good network of crèches and kindergartens for both urban and rural women that had existed formerly, the representative stated that it still existed, but it was undergoing a transformation because of a change in its financing system.

180. The representative explained that women working in the private sector benefited from the same employment legislation as women working in the public

sector, and the former discriminatory system under which certain jobs were earmarked for women or for men had been abolished.

Article 12

181. Replying to a request for an explanation of the "barbarous means" by which women were forced to give birth, the representative said that the former law banning abortion was barbarous as some women had preferred to die rather than bring their babies to full term. The law repealing the ban on abortion had been put into force immediately after the revolution, which had made the number of abortions rise sharply. Asked whether women had access to contraceptive methods other than abortion, the representative stated that contraceptive means existed, but they were too scarce and fairly expensive. She referred to the mass media as the main source of education on the use of contraceptives. Some family planning units existed, but they were run mainly by non-governmental organizations. Statistical data on the incidence of abortions in public and in private clinics would be submitted in the subsequent report.

182. The representative explained that the former pro-natalistic policy had been abandoned for appropriate economic measures, including a draft bill on the allocation of State subsidies for children. The new allocation for children was no longer paid automatically to the father; it could be paid for all children, without any differentiation, to the mother until the child had attained the age of 16. She said that the number of abandoned children was decreasing, and that there were plans to increase child allowances and scholarships.

183. The immunization of babies was obligatory and free of charge.

184. The representative stated that general statistics on the number of cases of HIV/AIDS were not available. Data on the numbers of children affected by HIV/AIDS would be included in the subsequent report. Asked what preventive and educational measures existed for dealing with the problem of AIDS, she said that programmes had been set up with the help of the United Nations, and special AIDS clinics had been created.

185. The major causes of female mortality and morbidity were cancer (on account of the Chernobyl accident) and cardiovascular and other stress-related diseases; tuberculosis was decreasing. Statistical data would be included in the subsequent report.

186. Asked whether medical assistants had the necessary medical knowledge to care for their patients, the representative replied that the medical training system was extremely good and provided specialized training for medical personnel.

187. In a subsequent remark, concern was expressed by one of the Committee members about the scarcity of contraceptive means. The scarcity of contraceptives might lead to repeated abortions, which usually involved health hazards for women.

Article 14

188. Explaining why it had been stated in the initial report that women were doing most of the rural work, the representative said that under the old regime there had been agricultural cooperatives in rural areas. As practically nothing had been paid for the work done, the men had migrated to jobs in industry, whereas women had stayed behind to work on the land. Currently, the land was

being given back to the former owners so that the whole family, women, men and children, was again sharing agricultural and domestic work.

189. In rural areas also, schooling was compulsory up to the end of secondary school; however, youths in rural areas received no higher-level training. Young women emigrated mainly to industrialized areas. As far as retirement benefits were concerned, urban women were discriminated against as rural women could retire at the age of 57 and, unlike urban women, widowed women in rural areas were entitled to the retirement benefits of their late husbands.

190. Regarding the value of the participation of rural women in the national economy, the representative said that rural women contributed by working the land and supplying agricultural produce, as in other market economies.

191. Asked for comparative data on the current mortality rate of urban and rural women, the percentage of recipients of pre- and post-natal services and the enrolment figures for primary and secondary schools, the representative explained that health measures were identical for rural and urban women.

Article 15

192. The representative said that the rights set out in article 15 of the Convention were implemented not only by law but also in practice.

193. Regarding questions on the number of cases of discrimination that had been brought to the courts, the representative said that no exact data were available, but that the number was very small because women were not sufficiently educated to defend their rights.

Article 16

194. Asked for a clarification of the current legal situation and about the practice regarding the choice of family name, the representative explained that each spouse could either keep his or her own name or the couple could decide on a common name, either that of the husband or of the wife.

195. Regarding *de facto* unions, the representative stated that they were not governed by law but that, under a ruling of the court, the children of such unions had equal rights to those of the children of registered marriages.

196. No statistical data were available on the age at which divorce was most frequent, but it was said that divorce was more frequent among couples who had married at a very young age. Under the Family Code, the normal marriageable age was 16 years without parental consent. However, the usual age for marriage was 20 years.

197. The representative said that the social welfare services for mothers and children implemented under the former regime were being maintained and amplified by some new services, such as compulsory doctor's visits for children under one year of age, which were free of charge, and the supply of certain free medicines.

Concluding observations

198. Members of the Committee commended the representative of Romania for her exhaustive replies. The representative welcomed the sharing by members of their experiences in setting up national machinery and emphasized the Government's

firm will and commitment to the implementation of the provisions of the Convention with the help of all women and men.

Yemen

199. The Committee considered the initial, second and third periodic reports of Yemen (CEDAW/C/5/Add.61, CEDAW/C/13/Add.24 and Amend.1 and CEDAW/C/YEM/3) at its 225th and 228th meetings, on 29 January and 2 February (see CEDAW/C/SR.225 and 228).

200. In introducing the reports, the representative apologized for the fact that her colleagues from the Yemeni capital could not introduce the reports, because they were occupied with the preparations for the first elections in the country since the reunification on 22 May 1990. The elections, which would be free and in which all citizens had the equal right to participate, marked an end to the transition period the country was undergoing as a result of the incorporation of the former Democratic Yemen and Yemen Arab Republic.

201. The representative referred to the historical backwardness affecting women's status in Yemen. Women's struggle for human dignity and self-determination went back thousands of years; only after the revolutions in the two parts of the country had women's role in motivating Yemeni society and restoring its civilization been realized.

202. The Constitution of Yemen guaranteed equal rights and duties to all, without distinguishing between men and women. Since the ratification of the Convention, the Government had made available all the possible means to implement it and to achieve de facto equality. The constitutional rights had been embodied in other laws, especially those concerning political participation, employment and education, to establish firmly equality for women and to eliminate discrimination against them. Legislation provided special provisions to protect women in pregnancy and maternity.

203. The efforts of the Government had not been limited to legislation but had been expanded to translate various rights into reality through regulations in all areas of women's life: the judiciary, the civil service, general elections and social security. The Government had established meaningful programmes, funded by international organizations or foreign assistance, based on the creation of appropriate mechanisms and special projects to increase opportunities for the education and employment of women and to improve their health. A special concern had been training and education, including making women aware of their legal rights. Making the Convention known, especially among young generations, was a priority for the Government.

204. The representative said that participation in the civil service was free of gender discrimination. Political participation had also been made equal but social and regional differences, as well as the small number of educated and employed women, led to a lower participation of women in both political life and decision-making. The representative noted that Yemeni women had played a prominent role in international forums.

205. The representative gave a detailed explanation of parts of the labour legislation. She referred to the special provisions concerning the working hours of pregnant or nursing women, and to the long maternity leave of 60 days, a special entitlement to leave in the event of the death of a husband and the retirement age. Nurseries and kindergartens had been established to increase

women's access to the labour market and, thus, ensure their full participation in the development process. Nevertheless, the problem of early marriage, which resulted in uncompleted education and illiteracy, as well as social and religious limitations and controls, still hindered women's participation.

206. Reference was made to the special problems of rural women, whose participation in agricultural development was very high because of the migration of many men to urban areas.

207. A detailed description concerning family laws, codified in the new Personal Statute Law 20 of 1992, was given. The representative said that polygamy occurred under certain conditions. The minimum age for marriage was 15 years and a woman was free to dispose of her dowry as she wished. Details concerning the annulment of marriage, as well as the right to receive compensation, were given. With regard to the granting of custody, a mother's eligibility had to be proved. Poor morals did not prevent a woman from being granted custody until a child was 5 years old. Custody was granted for up to 9 years for boys and for up to 12 years for girls.

208. The representative said that the distribution of information, the mobilization of public opinion and the development of women's legal awareness were high priorities of the Government. She outlined the means at the Government's disposal for disseminating the Convention.

209. She concluded by saying that many social, economic and political difficulties had prevented the full implementation of the Convention, even though the Government had done its best to overcome them. She said that despite numerous laws, which guaranteed women social, political, economic and educational rights, certain traditions and values of a negative nature still affected attitudes towards women and impeded their real participation. Those problems could not be solved in a short period of time.

General observations

210. Members said that the reports of Yemen, especially the third periodic report, were comprehensive and frank, clearly defining the progress made as well as the obstacles, which provided a good agenda for the Government in future. The reports were regarded as giving hope and encouragement. In addition, the efforts of the Government in submitting and representing its reports deserved a special tribute, since the country was going through serious political changes on account of unification. Moreover, Yemeni women were to be congratulated on certain laws that had been enacted and applied in order to enable them to participate equally in the development of their country. Women seemed to be an integral part of society, and their achievements had to be especially praised when considering the social pressures under which they lived.

211. Structural difficulties, customary traditions and cultural patterns had impeded efforts to improve women's situation quickly. A clear commitment of the Government to promoting women's issues could, however, be recognized. The establishment of national machinery was acknowledged especially; however, considering its functions, its workload seemed to be too heavy, especially as it sometimes acted as a family tribunal. Therefore, the effective coordination of the work of the national machinery as well as the creation of specific institutions for action on family disputes was requested. Clarification was sought on the Shariah and how it was applied. The representative stated that it was a main source of legislation in Yemen.

212. Members urged the Government to pay special attention to education, also in rural areas. They cautioned against the Government's preference, mentioned in the second periodic report, to encourage marriage and the establishment of families as it prevented youngsters, especially girls, from completing even their basic education.

213. The Committee was reminded that Yemen was one of the least developed countries in the world and, therefore, faced serious economic difficulties in achieving its policy goals. The Committee appealed to Governments, non-governmental organizations and United Nations bodies to extend their assistance to women's organizations in Yemen in order to promote further the advancement of women and thereby the development of the country. It was essential to maintain the momentum as the foundation for real changes had already been laid.

214. Before answering the questions raised by the Committee, the representative made a clarification to the effect that the initial and second periodic reports had been prepared, prior to the unification, by Democratic Yemen, which had ratified the Convention. The third periodic report covered the unified Republic of Yemen, which explained why it might seem to be contradictory to previous reports, as it reflected the new legislation adopted for the unified Republic.

215. Members requested clarification on the country's new Constitution and asked specifically whether it had been worded to include the concept of discrimination based on sex. The representative said that the Constitution guaranteed equality of rights to all citizens and referred to article 27, which explicitly stipulated that discrimination based on sex was prohibited.

216. The Committee noted with appreciation that Yemen had not made any substantial reservations to the Convention. The only one that had been made concerned the system for the settlement of disputes, on which many other countries had made reservations. Nevertheless, members asked whether the Government could consider withdrawing its reservation.

Questions related to specific articles

Article 2

217. Members asked whether the stipulations in article 48 of the Civil Service Law, protecting pregnant and nursing women, might not actually be discriminatory in their nature, as they negatively affected women's employment opportunities. They also asked if the same regulation applied to both public and private posts. The representative replied that men and women were equal in the labour market and that protective measures for women, also in dangerous workplaces, showed that women enjoyed their full rights in that field.

218. Referring to the right of a woman to have a maximum of 40 days' special leave in the event of her husband's death, it was asked whether men were entitled to the same right when they were bereaved. According to the representative, even new legislation did not mention men in that connection, because of old customs. A widow could not remarry until three months had elapsed after her husband's death. Members asked for an explanation why the period of such leave was so long. The representative replied that under the new law, the period was three months.

Article 4

219. The representative said that the Government had created mechanisms and special projects to encourage women's equality in all sectors of the economy, society and family, as well as to promote the awareness of women's rights. The Committee wished to know what proportion of young girls were included in those special projects, especially in those providing information on the Convention. In addition, information on the impact of those projects was requested and on whether the new awareness was reflected in the demands of women in the relevant areas of their work, as well as in private and public life.

Article 5

220. Asked about how the Yemeni Council for Mother and Child Welfare enforced policies for mothers and children, the representative said that maternity child-care centres had been established, as well as centres for monitoring health conditions and distributing contraceptives.

221. Concerning domestic and sexual violence against women, members asked what kind of information was available on the subject, what the incidence of such violence was and what measures the Government was taking in the form of legislation, public information campaigns and education to eliminate violence. Members asked whether the Government worked in cooperation with women's organizations in providing shelter homes or other protection for victims. The representative regretted that no statistics were available on violence, but he agreed that Yemen, like other societies, faced such a phenomenon. The Government was aware that violence could take various forms, both physical and psychological. Referring to the latter, he mentioned forcing a girl to marry at young age or preventing her from obtaining an education. He referred to government campaigns to raise awareness among women. Moreover, if a woman wanted to file a lawsuit against violence, she had the right to claim damages.

Article 7

222. When asked about the low participation of women in public service, reflected in the fact that only 10 of the 301 members of the Council of Deputies were women, the representative stated that illiteracy, other occupations of women within the household and the fact that over 70 per cent of Yemeni women lived in rural areas were the causes. Concerning government measures to facilitate women's access to administration and to encourage their participation in public life, he said that the Government encouraged women in all areas of life, especially by improving education.

Article 8

223. In the third periodic report, as well as in the statement of the representative, it was mentioned that women had held important positions in international forums. The Committee asked whether it would be possible to have some statistical data. The representative observed that Yemen had many female diplomats, some in high positions.

Article 9

224. The Committee pointed out that the law concerning Yemeni nationality seemed to be in contradiction of the Convention. Since no reservation had been made under article 9, they asked the Government to examine its position and to alter it. The representative indicated that the question did not appear clear and

that he saw no contradiction between the Convention and the Yemeni law concerned.

Article 10

225. Reference was made to the education of girls in rural areas. In the third periodic report it had been mentioned that problems included the unavailability of special schools for girls and a lack of qualified female teachers. Asked why girls had to be trained in special schools and by female teachers, the representative said that when girls reached the secondary-school stage, they were usually separated from boys.

226. Members asked how the Government proposed to remove obstacles, including the definition of sex roles, and to encourage the access of girls to education on the basis of their own motives. The representative answered that the Government was building schools in villages to enable girls to attend, but that it could not force parents to send their girls to school. Many traditions and customs affected women negatively in the development process and changes needed time. The Constitution guaranteed education to both sexes on the same basis.

227. In reply to a question on the proportion of girls leaving school without completing primary education, the representative said that no statistics were available as the country was in a transitional stage. Only the forthcoming elections would put an end to that period, when the elected Parliament would elect the President and the Prime Minister and Yemen would thus complete its unification process. He underlined the difficult economic situation in the country. He hoped that more statistics could be included in the next periodic report.

228. Asked about the number of women who were illiterate, the representative said that he had no statistics but that he presumed the percentage was very high, perhaps even 95 per cent. Concerning government literacy programmes, he said that they could not be carried out throughout the year because of the costs. Despite the limited duration of the programmes, some positive results could be seen. Referring to the low number of students in technical and vocational education and girls' participation in that field of education, he said that no percentages could be given, as he had no statistics. He observed that women could register in those schools, but that they were usually enrolled only in sewing and handicraft institutions and did not participate in other areas.

Article 11

229. Concerning the unemployment rate in Yemen, the representative said that he had no exact information, but that he presumed it to be high, especially after the Gulf War, when about 1 million workers had returned to Yemen, together with refugees from neighbouring countries. He could not give a percentage for the number of unemployed women, but thought it to be even higher than that of men. He observed that education programmes and the merging of the public sector because of the unification were expensive and that the war had badly affected the economic situation.

230. A question was asked about the low participation rate of women in the labour market and about government measures to encourage women's economic activities. The representative replied that the Government had tried, through better education, to increase women's role in development.

Article 12

231. Referring to the expansion of immunization services, members asked whether the rural areas also benefited from such services. The representative replied that the State made no distinction between different areas of the country; health services were for the entire country.

232. Asked about the actual maternal mortality rate, what the major causes for female mortality were and whether traditional birth attendance practices still existed, the representative declared that he had no statistics, but that there were several reasons for maternal mortality, such as the lack of awareness of health conditions, sickness in general and malnutrition.

233. The Committee asked whether family planning methods had proved effective and whether the Government devoted sufficient time, effort and resources to encouraging family planning and birth spacing, as the high birth rate constituted a serious health risk for women. Members asked whether the services were used and what means were available and used for family planning. The representative said that the issue was of serious concern to the Government, which had tried to affect public opinion through various campaigns and general education. He noted that some good results could be seen from the previous years in spite of the fact that the final decision had to be made by people themselves and that the Government could not compel them to adopt a certain behaviour. The reason for the high fertility rate was the custom of the country. Many felt that religion prohibited the use of contraceptives, and usually fathers wanted to have at least one son.

234. Concerning the incidence of AIDS and whether the Government took educational and preventive measures, the representative noted that some AIDS cases existed, but that government resources were limited. It tried to raise public awareness and conducted health campaigns to provide information about HIV.

235. Asked about the age of retirement for women (10 years lower than that for men), the representative considered that that kind of regulation was quite universal and was not discriminatory but actually favourable for women.

Article 13

236. As bank loans could be obtained on the condition that the borrower was a government employee or employed by a public institution, the Committee viewed that condition as a serious obstacle for women to borrow from banks. Asked whether the same conditions applied in rural areas and whether loans could be requested for the purpose of financing a business, the representative said that State loans could be granted for agriculture, housing or factory construction but were for a limited amount. The intention of the condition relating to public office was to guarantee that the loan would be paid back.

Article 14

237. Asked whether women in rural areas had the same access to health-care services, including information, counselling, ante- and post-natal services, and about the living conditions in rural areas, especially with regard to transportation, communication and sanitation facilities, the representative replied that women had the same access - sometimes even better - to health-care services as men. The Government's resources were limited however in the provision of health-care centres to villages. Regarding rural living

conditions, he mentioned that the Government was trying to provide a telephone network to every village or to at least every district.

238. With regard to the reason for the lack of schools in rural areas, the representative said that the Government was trying to have a primary school in each village or at least in each district. Distances were often far and arduous for young children.

239. In his reply to the question why only women were designated to carry water to homes, as that practice created a serious health risk for them, the representative referred to the high sense of responsibility of Yemeni women. Sometimes drinking water had to be carried over long distances. Yemeni women had an attitude that that was just a fact of life. Sometimes men did participate in carrying water.

240. Asked about the equal right to own and inherit land, the representative stated that the Shariah stipulated that men inherited twice as much as women. The Government could not change that. However, if a woman inherited property from her father, she had equal rights to that property. Based on experience in other countries, the Committee proposed further options, in accordance with the Shariah, for parents to treat all their children equally. As a will was not allowed under the Shariah, parents could give a gift during their lifetime so that all children would inherit equally. The representative replied that a written explanation was required if parents wanted to donate a portion of their property to a daughter or a son. No answer was provided to a question about the percentage of women that owned land.

241. The Committee requested information on government measures to improve the status of women in rural areas. The representative answered that the Government was providing education, including literacy programmes and training, for example in handicrafts.

Article 15

242. With regard to women's legal capacity in court proceedings, the representative said that women could file lawsuits in courts and institute proceedings themselves. They could also become judges. He said that women could be effective in defending their rights and thus obtaining equality.

Article 16

243. The Committee requested clarification on polygamy in Yemen as well as on the most important recent changes in family laws. The representative said that, after the unification, the Government had had to rethink its policy on polygamy. Polygamy was permitted under certain conditions. The representative referred to the Shariah as the main source of law that the Government had to obey. The Government could only impose conditions on polygamy; it did not encourage it. It was noticeable that, as their economic situation improved, parents more often wanted to provide a good education for their children. As awareness increased, polygamy became less prevalent and among young people especially the phenomenon was decreasing. Education therefore played a major role. The task was not easy, especially in Yemen, as the illiteracy rate was so high.

Concluding observations

244. The Committee drew the attention of non-governmental organizations and Governments to the serious financial constraints under which two United Nations

bodies, the United Nations Development Fund for Women (UNIFEM) and the International Fund for Agricultural Development (IFAD), had to operate. Many developing countries had had good experiences of their work in promoting women's equality, especially at the grass-roots level. Experts and others present were requested to pressurize their Governments to increase their contributions to the two United Nations organizations.

245. The Committee underlined the necessity for statistics, especially gender-disaggregated data, to provide a full picture of the de facto situation of women in the country as a basis for planning. The Government of Yemen was urged to give a high priority to education, especially among young women. The Committee suggested that the Government should include a women's dimension in its requests for foreign assistance programmes in particular, in view of the fact that programmes with a women's dimension existed. Furthermore, the right of illiterate persons to participate should not be undermined.

246. The Committee expressed its hope that the Government would, in the light of the reforms that had already started in the country, examine its cultural and historical traditions with a view to achieving the full equality of men and women. It was pointed out that economic, social and cultural development always depended on progress in respect of women's rights.

2. Second and third periodic reports

247. In accordance with the procedure adopted by the Committee at its ninth session for the consideration of second and subsequent periodic reports, the questions to be discussed with the representatives of States parties presenting a second periodic report had been identified in advance by the pre-session working group.

Bangladesh

248. The Committee considered the second periodic report of Bangladesh (CEDAW/C/13/Add.30) at its 220th and 227th meetings, on 26 January and 1 February (see CEDAW/C/SR.220 and 227).

249. In his introductory statement, the representative of Bangladesh said that an updated version of the country's second periodic report had been drafted in order to comply with the general guidelines regarding the form and content of reports and an attempt had been made to provide more information.

250. He explained that, from childhood to old age, women in Bangladesh had been discriminated against by parents, husbands and sons. Social taboos and norms played a decisive role and, from their childhood, women had been considered mainly as child-bearers and housewives without any decision-making power. However, the situation had changed after independence. Women had come out of their households for reasons of economic solvency and survival. The country's per capita income of US$ 170 was one of the lowest in the world and women's income was much lower than that of men.

251. He indicated that only 24.6 per cent of the population had attained a measurable degree of literacy and of that proportion 32 per cent were males and 68 per cent females. Owing to the lack of control over the growing population, employment was affected. Women's employment was often limited and did not receive the required impetus. Nevertheless, the employment of women in

traditional occupations, home-based and otherwise, and in the garment sector had witnessed significant progress in recent years.

252. He explained that since most women lived in rural areas, it was necessary to bring them into the mainstream of the national development process. In 1976, the Government had created the Office of the President's Special Assistant on Women's Affairs, which had helped establish the Bangladesh Jatiyo Mohila Sangtha (National Women's Organization) as a Government-instituted non-governmental organization and women's affairs cell in the Department of Social Welfare. The process of placing women in the mainstream of national development had gained further momentum when the Government set up a separate Ministry of Women's Affairs, in 1976, and when it established focal points in 15 ministries to work closely with the Ministry of Women's Affairs.

253. The representative said that the First Five-Year Plan (1973/78) had emphasized a welfare-oriented rehabilitation approach; the subsequent Two-Year Plan (1978/80) had emphasized women's development as a central force; and the Second Five-Year Plan (1980/85) had emphasized more dynamic and diversified programmes. Emphasis had been put on women's participation in development activities, expansion of opportunities for specialized training, skill development, provision of credit for income-generating activities, better protection of children and entrepreneurship development programmes. The Third Five-Year Plan (1985/90) had strengthened the activities of previous plans. To achieve the overall integration of women into the development process, the Plan had specific objectives to reduce imbalances between the development of men and women. More emphasis had been given to the expansion of employment and credit facilities, provision of accommodation for job-seeking women, development of leadership and managerial skills, and training. Primary health care, employment and skill training were linked with population control. Implementation strategies had included the establishment of the Supreme Council for Mother and Child, rehabilitation programmes for prostitutes, provision of legal aid for women and strengthening of non-governmental organizations. The year 1990 had been declared "Year of the Girl Child" in order to increase consciousness about the situation of girls in the family. The Fourth Five-Year Plan (1990/95) was aimed at accelerating economic growth, alleviating poverty and increasing self-reliance. Implementation strategies had also included the integration of women into the mainstream of sector-based planning in order to reduce gender disparities. The fourth Plan also gave greater priority to human resource development, including a women's credit programme, promotion of female entrepreneurship, skill development training programmes for different trades, a poverty alleviation programme for women to become involved in income-generating activities, and a vulnerable group development programme for involving destitute women in income-generating activities through the provision of a food subsidy.

254. The representative indicated that positive steps had been taken by the Government to enhance the role of women in agriculture; for instance in the crop diversification programme. In the industrial and manufacturing sectors, women were emerging as a greater force on account of economic pressures and the expanded scope created in various manufacturing industries, such as garments, textiles, electronics, frozen food, packaging and processing.

255. The representative outlined the significant policy measures that had been taken by the Government concerning the equal participation of women in development, which demonstrated the Government's concern in promoting women. The Minister of Women's Affairs was a permanent member of the National Economic Council, which approved all major development projects to ensure that the legitimate and feasible participation of women was not denied in the development

projects and programmes that came before the Executive Committee of the National Economic Council for examination and approval. He explained that the role of non-governmental organizations was to address issues specific to women and to contribute to awareness-raising, technology transfer, development and training for target groups in the country's development process. He named some of the 500 non-governmental organizations concerned.

256. The representative confirmed that the Government of Bangladesh had ratified the Convention with some reservations as some domestic laws were not in conformity with the provisions of the Convention. He also outlined some laws that provided for the special rights of women and that were intended to eliminate discrimination against women, namely, the Muslim Family Law Ordinance of 1961, amended in 1986; the Dowry Prohibition Act of 1980, amended in 1986; the Cruelty to Women (Deterrent Punishment) Ordinance of 1983; the Family Court Ordinance of 1985; the Child Marriage and Divorce Registration Act of 1974; and the Anti-Terrorism Ordinance of 1992.

257. Concerning the provisions of the Convention and their implementation, the representative said that the Government of Bangladesh attached due importance to the provisions of the Convention and had taken measures to ensure, to the extent possible, the implementation of the Convention.

258. With regard to article 2, the representative said the Constitution had granted equal rights to women in all spheres of life, although some degree of inequality was still recognized. Some provisions of Muslim Personal Law had been modified, but it would not be easy to modify Hindu Personal Law because of the complex religious issues involved.

259. The representative said that the legal system of the country ensured human rights, but some infringements occurred owing to taboos prevalent in society. The representative informed the Committee further that, owing to the increased incidence of poverty, economic aspirations and urbanization, traditional values were disintegrating fast, compelling women to come out of seclusion in order to seek work.

260. Regarding the role of non-governmental organizations, he said that the Government and some non-governmental organizations had undertaken programmes for creating social awareness about the change in women's roles. All training institutions had introduced gender and women-in-development concerns in their training programmes.

261. The representative stated that trafficking in women and children had become a major concern for the Government, which had taken firm steps and made the law severe for such offences. Poverty was one of the main reasons for such trafficking and the Government had introduced programmes designed to alleviate poverty, particularly in the rural areas.

262. The representative said that, under the Constitution, women were granted equal opportunities for participating in public life. The current Prime Minister and the Leader of the Opposition were both women. He explained that 30 seats in Parliament were reserved for women, as well as seats on all municipal and local government bodies.

263. Regarding equal opportunities for women to represent Bangladesh at the international level, the representative said that such a need had been recognized by the Government. The law allowed women's representation at the national and international levels. A quota system ensured women's participation

in Government service; for example, a quota of 10 per cent of gazetted, and 15 per cent of non-gazetted, posts had been reserved for women.

264. The representative said that nationality in Bangladesh was determined by birth. According to the Citizenship Act, citizenship could be transmitted from a father to his children. Concerning the equal rights of women in the field of education under article 10 of the Convention, the representative said that equal rights for education were highly prominent in Government policies, and one of the objectives of the Fourth Five-Year Plan was universal primary education, non-formal primary education and the reduction of mass illiteracy.

265. Concerning equal employment and training opportunities for women, the representative said that employment opportunities remained unequal, although in the public sector there was a 10 per cent quota of gazetted posts and a 15 per cent quota of non-gazetted posts for women at the entry level. The age-limit for the entry of women into Government service had been raised from 27 to 30 years.

266. Under the fourth Plan, the representative said that efforts were being made to eliminate discrimination against women in health care by strengthening, planning and managing the capabilities for utilizing existing facilities. He also said that under the Plan women's participation in all games and sports was encouraged.

267. With reference to equality before the law, the representative said that the Constitution upheld equal rights for men and women. The fourth Plan emphasized legal education and legal aid to assist women in exercising their rights. The Family Court had helped women to exact justice, and special projects were operating under the Ministry of Women's Affairs to create legal awareness and provide legal aid.

268. The representative explained that issues such as marriage, child custody and property were governed by religious laws and some discriminatory provisions still existed. He stated further that the Council for Mother and Child coordinated child welfare activities, and a number of non-governmental organizations, including International Federation Terre des Hommes, Save the Children, Underprivileged Children's Educational Programme, and Bangladesh Rural Advancement Committee, were working to promote literacy and the health of children, and to impart vocational training. The non-governmental organizations had established a Child Rights Forum to protect children's rights.

269. The Committee noted that, while the Government of Bangladesh was to be congratulated on the preparation of its second periodic report and on its frankness concerning the many problems facing women in Bangladesh, there were a number of problems with the report. When the initial report had been presented, many questions had been posed to the government representative. Some of those had been answered but many had been left unanswered on the understanding that the second periodic report would provide the information needed. The unanswered questions had not been commented on in the second periodic report nor had it followed the general guidelines regarding the form and content of reports and there were many gaps in the information provided. Members of the pre-session working group said that they had had some difficulties in reviewing the second periodic report because the information provided was inadequate. They indicated further that they might be overcritical of the report but they had no other means owing to the gaps in the information provided.

270. In replying to the comments of the Committee, the representative regretted that, at the time of the Committee's review, the updated second periodic report, which had been formulated according to the guidelines of the Committee and provided more information, had not been available.

271. The representative said that the Government was reducing the gender gap and putting women in the mainstream of the economy; namely, allowing them access to employment in all sectors of the economy, both traditional and non-traditional, which was the major strategy for increasing their contribution. He indicated that the gender gap could gradually be reduced by giving women appropriate training to improve their skills; providing them with employment on a priority basis and with credit on easy terms for self-employment in house-based and out-of-home activities; improving medical and other ancillary facilities for women; making men and women aware of the need and justification for elevating women's position in society; influencing public opinion in their favour; and enacting laws to halt discriminatory practices.

272. Replying to the questions compiled by the pre-session working group, the representative said that his Government had pledged, both at the national and local levels, to remove gender disparities, on the basis of not only humanitarian considerations but also sheer economics. He added that the contribution of women to the economy had to be increased in order to accelerate the pace of development.

Questions of a general nature

273. A question was raised whether the Government of Bangladesh intended to avail itself of the assistance available from national and international women's organizations in the preparation of its periodic reports. The representative said that the updated second report had been prepared by the experts of the Government machinery. The Government would endeavour in future to avail itself of the assistance of other local experts for the preparation of similar reports.

274. In replying to the question whether the Fourth Five-Year Plan had had an impact on the status of women in Bangladesh, the representative said that the Plan had been referred to in the updated second periodic report of Bangladesh and policy measures regarding the placing of women in the mainstream had been incorporated in the Plan. The need to reduce gender disparities had been stressed, and the implementation of projects concerning women had been outlined. The implementation of projects along those lines had had a definite impact on the status of women in Bangladesh.

275. The Committee noted that, during the presentation of the initial report to the Committee at its sixth session, the representative had told the Committee that the reservations to article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), of the Convention would be dealt with and it wished to know what had been done about that. The Committee also asked the Government to study article 2 of the Convention with a view to including in its subsequent reports its comments on the legislation or other structures that were preventing it from implementing that article. The Committee asked what proposals the Government had for withdrawing its reservation, which appeared to contravene articles 27, 28 and 29 of the Constitution of Bangladesh. The representative explained that the Government had ratified the Convention with some reservations on article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), because the provisions of personal law could not be changed easily, as they were based on religion. However, some provisions of Muslim personal law had been modified.

276. Concerning measures to improve the situation of women, the representative pointed to the ministries for agriculture, industry, health and family welfare, rural development and cooperatives, local government, social welfare, and labour and manpower, which all had their own projects on women's issues. He concluded by saying that, through the collective efforts of the Government, non-governmental organizations and international bodies, the goal of eliminating discrimination against women would soon be realized.

Questions related to specific articles

Article 2

277. The Committee observed that the application of personal laws was based on the different social and cultural practices of ethnic and religious groups, which appeared to result in discrimination against women in health, education, inheritance and before the law. The Committee asked whether the State had made a move to identify all personal laws that were discriminatory. The representative stated that no discriminatory practices existed in providing facilities in the areas of health education and all persons were equal before the law. Discriminatory practices due to personal law had been identified.

278. The representative said that the reasons for discrimination because of personal laws had been explained earlier and such practices had been identified.

279. Referring to the system of redress for women covered by personal law, the representative confirmed that any aggrieved woman could turn to the court to assert her rights regarding divorce and custody of a child.

280. In answering the question whether personal law was the only area in which religious and ethnic laws remained intact and whether in other legal fields (criminal, contractual and civil) women's rights were governed by a single general law, the representative stated that men and women were governed by the same laws in respect of criminal, contractual and civil laws.

281. The Committee wished to know how the Government of Bangladesh intended to reconcile its constitutional guarantees of equality before the law to all citizens and its ratification of the Convention with the exception of the discriminatory practices remaining under personal laws. The representative replied that the Parliament and the Supreme Court were competent to resolve any conflict between the constitutional provision of equality and personal law.

282. The Committee noted that all measures taken to establish family courts, dowry prohibition, the Muslim Family Law Ordinance, the Child Marriage Act and other legislation were important for the promotion of equality for women. Questions were raised as to whether those measures had improved the situation of women in Bangladesh and whether the establishment of a high-powered advisory council was intended to facilitate that process. The representative explained that accurate data had not yet been compiled; however, he confirmed that such legislation had improved the overall situation of women and that the high-powered advisory council, headed by the Prime Minister, was intended to give strong support to the process.

Article 3

283. In replying to questions concerning the measures taken to ensure the full development and advancement of women, such as separating the issue of the rights

and status of women from religious practices, the representative said that sufficient measures for improving the status of women had been adopted and were outlined in the Fourth Five-Year Plan, which was the responsibility of all development ministries. Non-governmental organizations were also involved in similar work.

284. Referring to measures to protect the legal rights of the 15 per cent of non-Muslim women in Bangladesh, the representative said that non-Muslim women were treated on a par with Muslim women except in areas covered by their respective personal laws.

Article 4

285. The Committee noted that 10 per cent of all gazetted and 15 per cent of all non-gazetted public service posts were reserved for women and asked to what extent those quotas had been filled. The representative explained that, in order to increase women's participation in the public sector, the Government had introduced a quota system in 1976, at the entry level in the public sector. Currently however, women occupied about 5 per cent of the officer positions, 12 per cent of the staff positions and 3 per cent of the lower blue-collar-worker positions.

Article 5

286. The Committee observed that the Government of Bangladesh was to be commended on its enactment of laws to prevent violence and trafficking in women. In information from non-governmental organizations, however, it had been stated that, according to research, women were more likely to die from violence than from childbirth. Questions were asked on the extent to which the problem of violence against women contributed to the diminished life expectancy of women. The representative explained that the incidence of such crimes was not so high as to have a strong impact on the average life expectancy of Bangladeshi women. The life expectancy of women was lower than that of men because women suffered more than men from the scourge of poverty, particularly in the rural and poor remote areas.

287. The Committee asked whether the incidence of death or injury in dowry disputes had been reduced since the enactment of the Cruelty to Women (Deterrent Punishment) Ordinance of 1983, whether those committing such offences were routinely tried and whether the rate of prosecution had changed since the presentation of the initial report. The representative said that, after enactment of the Ordinance, the incidence of death or injury had decreased. Those who committed such offences were tried in court and the rate of prosecution had increased.

288. In reply to a question on female circumcision, the representative said that circumcision was never a part of Bangladeshi culture and it had never been practised in the country.

289. Concerning the level of violence against women in Bangladesh, the representative stated that accurate data were not available; however, a few sample surveys had been conducted in order to calculate the probable number of cases. Concerning the measures introduced to protect women against violence in the home, the representative said that a pilot project entitled "Support to battered women" had been launched by the Ministry of Women's Affairs to provide shelter and legal assistance for battered women.

290. Regarding the measures taken in schools and at the workplace to depict women as equal to men, the representative indicated that equality in all respects was maintained in schools and workplaces for both men and women.

291. Replying to the question whether the quota system of reserving posts for women was not reinforcing sex-stereotyping in employment, the representative indicated that the quota was applicable to all posts at the entry level; however, there was no bar to the employment of women in any posts on a merit basis. The quota system had not led to sex-stereotyping in employment. Asked about plans to introduce a quota system in other fields of employment, he explained that there was currently no plan to introduce a quota system in the private sector; women were employed in large numbers in the private sector, particularly in the garment, fish processing, packaging and electronic industries.

Article 6

292. In answering a question on measures to rehabilitate prostitutes to reduce the numbers of women who were compelled to earn their living through prostitution on account of poverty and unemployment, the representative indicated that there were a few programmes for giving prostitutes, salvaged from red-light areas, skill training for gainful employment and ultimately to rehabilitate them in society. The programmes had been undertaken by both the Government and some non-governmental organizations, but their success had been very modest. In reply to a question on rehabilitation programmes, he said that a proposal for making the scheme more effective was on the anvil. He said that people guilty of exploiting women for prostitution were charged under the Cruelty to Women (Deterrent Punishment) Ordinance of 1983.

Article 7

293. The Committee noted that 30 seats in the national legislature were reserved for women and wished to know whether that provision had been effective in increasing respect for women politicians and whether those women were given responsible tasks in Government. The representative confirmed that both the Prime Minister, who was the head of Government, and the Leader of the Opposition were women. In addition to the Minister of State, two women had been appointed to the present Cabinet.

294. Questioned about the total number of seats in the national legislature and how many of them were held by women, the representative said that there were 330 seats in the national parliament, of which 37 were held by women.

295. Concerning the age of franchise, the representative said that any person aged 18 years or more, irrespective of sex, colour and creed, was entitled to register as a voter. About 40 per cent of the eligible women voters cast a vote, and there was no traditional opposition to their doing so.

296. With regard to the proportion of women to men in the legal profession and in all branches of the judiciary, and positive measures to train and recruit women in those professions, the representative indicated that there were approximately 400 to 500 women lawyers in the country. The number of women in the judicial service was also increasing gradually. Positive measures had been taken to train and recruit women in the legal professions.

Article 8

297. In answering a question on the number of women diplomats, the representative said that there were about 10 career women diplomats.

Article 9

298. The Committee noted that it had received information from a non-governmental organization to the effect that a child born in a foreign country to a Bangladeshi woman and a non-Bangladeshi man could not be given the nationality of the mother, whereas a child born in a foreign country to a Bangladeshi man and a non-Bangladeshi woman could be given the father's nationality. The Committee wanted to know whether measures were planned to amend that provision so as to comply with article 9 of the Convention. The representative replied that some women's organizations had taken up the issue.

Article 10

299. Asked whether primary education for girls was compulsory, the representative said that primary education for girls was compulsory. He further indicated that, to encourage girls to study beyond the primary level, there were provisions for the free education of girls up to class VIII in all parts of the country except for the metropolitan areas. The Government had also increased educational facilities by providing more girls schools in rural areas; 60 per cent of Government primary-school teachers' posts were reserved for women.

300. Concerning the percentage of scholarships granted to girls rather than boys, the representative explained that girls were receiving a higher percentage of scholarships compared with boys at all levels of education; however, an accurate figure was not available. He said that a separate development scheme for the allocation of scholarships to secondary schools would be implemented during the Fourth Five-Year Plan to encourage the education of girls. In addition, under the scheme of internal scholarships for general education, 40 per cent were reserved for girls. In 1992, that scholarship programme had succeeded in almost doubling female enrolment in secondary schools, as well as in promoting a higher level of women's participation in the labour force leading to later marriage and lower fertility.

301. The Committee noted that, in 1984/85, 66 per cent of females compared with 49 per cent of males had no access to education. One fifth of females and one quarter of males had education up to class IV but only 9 per cent of females, compared with 18 per cent of males, went beyond class V. Members asked what the comparable figures were for girls in education for the period 1987-1992. The representative indicated that a comparative figure for girls in education for that period was provided in annex III to the updated second periodic report.

302. In replying to a question on the current literacy rates for females and whether it had improved from the 19 per cent recorded in 1985, the representative said that the current literacy rate for females was 16 per cent, and the figure of 19 per cent, recorded in the report of the pre-session working group, was not correct.

303. Regarding the percentage of women students in traditional male-dominated courses and the measures taken to encourage women to enrol in those courses, the

representative said that women were currently participating in all traditional male-dominated courses.

304. Referring to a question on the provision of information on family planning to girls at school, the representative indicated that indirect information was provided regarding the population of the country.

305. The Committee noted that urban women had a greater chance (20 per cent compared with 8 per cent of rural women) of continuing their education to class X. It wanted to know whether the Government had introduced measures to improve rural women's access to education. The representative indicated that free schooling for girls up to class VIII had been introduced in rural areas. Moreover, scholarships were also awarded to encourage the education of girls.

306. The Committee inquired whether, given the high rate of female illiteracy, which had reached 90 per cent and which did not make it possible for women to improve their status, the Government was developing, or planning to develop, a national literacy campaign aimed specifically at women. The representative explained that there was no such campaign, but there was a national mass education programme. However, the Government planned to educate all its citizens by the year 2000. The representative explained further that non-formal education had been introduced under the Ministry of Women's Affairs, other government departments and some non-governmental organizations to improve women's access to better jobs.

Article 11

307. In replying to the question whether the Constitution forbade discrimination against women, the representative said that women had equal access with men to employment, and equal pay for equal work was granted by the Government.

308. Asked whether government policy guaranteed maternity leave to women, the representative confirmed that, in the Government and formal sector, women were allowed to take paid maternity leave for three months twice during their period of service (up to the age of 57). However, in the private and informal sector, that provision had not yet been ensured as those sectors were not bound to follow government regulations. He indicated further that women employed in the food-for-work programmes in construction, repair and maintenance work were paid the same as men. He also informed the Committee that the disproportionate underrepresentation of women in wage employment was decreasing gradually, and there had been an increase in the number of women engaged in higher paid employment since 1987.

Article 12

309. The Committee noted that rural women's life expectancy was much lower than that of urban women. The Committee wished to know what measures were being taken to improve health standards for rural women. The representative explained that health-service coverage had been extended and health awareness on the part of women had been increased because of the expansion of health infrastructure facilities, particularly at the rural level, and the dissemination of information on health through various channels. Maternal and child health care through the establishment of health complexes and family welfare centres had been strengthened and family planning programmes had been expanded.

310. The Committee noted further that the Government had identified the overwhelming problem of population explosion as one of the factors precluding

the achievement of equal rights for women. It wanted to know whether the objective of a population growth rate of 1.8 per cent by 1990 had been achieved. The representative replied that it had not; however, the Government had given due emphasis to health and family planning programmes and services. Population control programmes were separate from the health services so as to intensify the activities to control the rapid population growth. He also confirmed that the birth rate for rural women was different from that of urban women. The representative stated further that family planning information was offered to all Bangladeshi women and the measures used were scientific. The practice of abortion was not yet permissible but, under special circumstances, menstruation regulation was allowed.

311. Concerning the annual per capita health expenditure and whether the money was spent equally on women and men, the representative indicated that the annual per capita health expenditure currently stood at 29 taka. Health expenditure was equal for men and women, and no extra allocation in the health sector was made for women. He indicated further that small land holdings, low levels of education, small incomes and large families were the underlying general causes of malnutrition affecting both women and children. Other causes included poor sanitation, lack of proper health education, non-availability of safe drinking water, poor cooking practices, general misconceptions about food and bad eating habits. He also said that malnutrition was linked with poverty and efforts were being made to raise the level of household income. The Government had created additional opportunities for the gainful employment of females, through promoting cottage industries, food-for-work programmes and, where possible, redistributing productive resources. The Government also organized appropriate training programmes for rural women, teaching them the techniques of kitchen gardening, pond fishery, backyard poultry farming, plantation of fruit trees, goat and cattle raising, and the small-scale preservation of various food items, such as fruit and vegetables. Nutrition education was also imparted through primary and secondary schools and the mass media. Rehabilitation centres for severely malnourished children had also been established. Such centres were providing nutrition education and food supplements to pregnant women and lactating mothers and supplying suitable weaning food to the children.

312. The representative said that there was no problem with the health system because, even in the remote areas, there were enough doctors. Concerning the discrimination of the girl child, he said that the preference for boys did exist but, with more education, such a tradition was changing gradually.

313. The representative noted that there was no incidence of AIDS in Bangladesh, either among men or women.

Article 13

314. The Committee noted that the Government of Bangladesh had made a reservation on article 13 (a) of the Convention and wished to know what measures had been taken to withdraw it. The representative indicated that the wives and children of government personnel and other pensionable employees were entitled to receive the gratuity, pension, group insurance, benevolent fund etc. of husbands or fathers who had completed 10 years of service.

Article 14

315. The representative informed the Committee that women had equal access to credit for their economic activities. The Government had a mandate to distribute land equally between men and women. The Committee wished to know

what measures had been taken to ensure that women obtained their equal share of land in view of reports that almost all newly reclaimed land was going to male owners. The representative said that no such information had been received. He stated further that where ideal villages had been set up by allocating government land to poor landless families, such land was jointly registered in the name of the husband and wife.

316. Asked what measures had been introduced in the past five years to improve the health education of rural women and what specific measures were being taken to increase rural women's access to education, the representative said that the Government was taking all the measures within its resources to improve the health and education of rural women. The Committee noted that rural women's access to education was only 30 per cent and that of urban women was 64 per cent.

Article 15

317. The representative informed the Committee that women were able to give evidence in court.

Article 16

318. The Committee observed that there were different laws for Muslim, Hindu and Christian women concerning inheritance. According to the Hindu religion, a woman had no right to property, financial independence and to be self-supporting. The Committee wished to know whether there was a proposal to ensure that all Bangladeshi women had equal rights in inheriting property. The representative replied that no proposal had been initiated by the Government to change the personal laws of different religious communities.

319. The Committee also observed that the Government of Bangladesh had enacted progressive legislation in the area of marriage and family law; however, there appeared to be provisions under religious laws for polygamy, easier access to divorce for men and discrimination against women in the right to the custody of their children. The Committee inquired whether there were proposals for the enforcement of equal rights in marriage and family law for women and men. The representative replied that men and women had an equal right to seek redress in a court of law regarding their rights in marriage, polygamy and the custody of children according to the existing law of the country.

320. In answering the questions concerning how many cases of murder and attempted murder for dowry, rape, violence against women and disfiguration by acid had been reported, the representative stated that accurate figures were not available. However, the Anti-Terrorism Act recently passed by the Government had helped in reducing those crimes.

321. Asked whether polygamy was accepted by Muslim people and whether there was a movement against it, the representative indicated that it was not generally accepted and there was a strong movement by women activists against polygamy.

322. The Committee observed that since the Child Marriage Act of 1984, the age for marriage of Bangladeshi women was 18 years. The 1981 census showed that 7 per cent of girls in the 10-14 age group were married and the mean age of marriage was 17.9 years. The Committee wanted to know whether the Government had prosecuted those men marrying girls under the age of 18 years, and whether there had been an increase in the mean age of marriage. The representative stated that, owing to illiteracy and poverty, child marriage was still to some

extent prevalent but the Government was taking all possible measures to punish the offenders.

323. Concerning the right of unmarried mothers to the custody of their children and to obtain support from the father of the children, the representative indicated that the children of unmarried women were not recognized in Bangladesh. He also informed the Committee that husbands were legally bound to provide maintenance to their wives for up to three months after the pronouncement of divorce.

324. Regarding the question whether Bangladeshi men supported their children as required by personal law, and whether measures could be taken to obtain and enforce support for children during and after marriage, the representative said that, according to personal law, fathers were obliged to support their children. In the case of fathers failing to give support to their children, the guardian of the children could go to court for their legal rights.

Concluding observations

325. The Committee thanked the representative of Bangladesh for providing detailed and frank explanations. The Committee noted that some problems being faced by women in Bangladesh were based on personal laws, which included religious and customary practices. Members of the Committee expressed their concern over the reservations made on article 2, article 13 (a) and article 16, paragraph 1 (c) and (f), of the Convention. Others requested more information on issues concerning the awareness of women regarding their legal rights, legal aid, the effective measures taken concerning personal laws of the Hindu religion or of other minority groups, the participation of women in the public sector and violence. Emphasis was placed on issues such as education, illiteracy, health (especially infant mortality), the role of the Ministry of Women's Affairs, its budget and responsibility concerning the projects, and the temporary measures taken to improve the situation of women.

326. In its concluding observation, the Committee commended the efforts the Government was making, despite its difficulties, to strengthen the role of women in the development process. The Chairperson expressed her concern regarding the health situation of women in Bangladesh and the way in which the Government provided health services to the affected women and children. She emphasized health education, including family planning and literacy. She hoped that the Government of Bangladesh would be able to show the best possible results in its third periodic report.

France

327. The Committee considered the second periodic report of France (CEDAW/C/FRA/2/Rev.1) at its 222nd meeting, on 27 January (see CEDAW/C/SR.222).

328. In presenting the report, the representative of France addressed a major concern of the Committee at the time of the presentation of the initial report, namely, the replacement of the Ministry for Women's Rights by a delegation for the status of women, which was lower in the administrative hierarchy. She said that, in turn, the delegation had been replaced in 1988 by a State Secretariat for Women's Rights with the full powers of a ministry and its own budget. That decision had shown the Government's political will to make the defence of women's rights one of its priorities. The tasks of the Secretariat were to ensure the implementation and monitoring of adopted legal texts and to propose

new measures. It had a central administration and regional and departmental delegates to promote women's rights, mainly in the fields of employment and professional training in close collaboration with the Ministry of Labour and Professional Training. In order to make the best use of its modest budget, the State Secretariat had chosen as its priorities measures for promoting equality in employment and measures to combat sexual violence, and positive developments had been registered over the past few years; however, the two major areas where failures could be noticed were women in power and women at work.

329. The representative said that French women had not obtained a share of power in 1945 when they had been given the right to vote, but rather in the 1970s when the process of dissociation between sexuality and procreation had been accomplished through the adoption of the contraception and abortion laws. She said that contraception and abortion were the true revolutions of the twentieth century, constituting not a power-sharing between women and men, but a transfer of power from men to women. Women alone could decide on maternity, they could determine whether they chose to live with the child's father, to be married and to recognize the father's rights. They alone currently had the power in the family under the law.

330. The representative said that the French mentality was still influenced by the Napoleonic Code, which had given women an inferior position in society. Considerable strides had been made in general, but women continued to suffer from that heritage. In the twentieth century, women in France had acquired freedom and dignity and had passed from being objects of history to subjects of history. It was to be hoped that women would achieve equality in the twenty-first century.

General observations

331. Regarding the concern expressed by members at the maintenance of the reservations to the Convention, the representative said that some of them had been withdrawn. Yet there was no intention of withdrawing the remaining ones under articles 5 (b) and 16, paragraph 1 (d), regarding the exercise of parental authority, nor the ones related to social security provisions under article 14, paragraph 2 (c) and (h), regarding the acquisition of property by rural women, since the legal situation in France was extremely beneficial to women. The reservation to article 16, paragraph 1 (g), regarding the right to choose the family name was also being maintained, although a new law of 1993 gave both parents more flexibility in choosing the first name of their children and made it easier to change one's name. Regarding the reservation to article 29, the representative said that there were mediation bodies in the country and that France did not consider it necessary to refer disputes to the International Court of Justice.

332. Members asked additional questions about the availability of special programmes for immigrant women and their families and about related problems. They recommended that France should play a vanguard role in maintaining human rights and, therefore, also respond strongly to campaigns against migrants.

333. Asked about the attitude of the Government to practices of polygamy and female circumcision among immigrants, the representative said that both were forbidden on French territory and that immigrants had to comply with the relevant French legislation.

Questions related to specific articles

Article 5

334. Regarding the measures taken to combat sexual harassment, the representative said that the Government had enacted a bill in 1992. According to a survey, 21 per cent of the women in France had been victims or witnesses of sexual harassment, representing 19 per cent of all working women. In order to afford women better protection, sanctions for sexual harassment had been provided in the Penal and Labour Codes if the perpetrator was hierarchically superior to the victim.

335. In combating marital violence, the State Secretariat had tripled its subsidies over the last years for assisting shelters and creating new ones. Furthermore, a national awareness-raising campaign had been launched on television to shock the public by the statistics on violence against women, accompanied by a nationwide telephone hot line for listening to the victims, giving them guidance and legal counselling and providing them and their children with accommodation.

336. Asked by members about the Government's position regarding pornography, the representative said that it was sanctioned by imprisonment or monetary fines.

337. Additional questions concerned the number of court cases dealing with sexual harassment, the type of sanctions applied and the occupational groups to which most victims of sexual harassment belonged.

Article 6

338. Regarding questions about the number and age of prostitutes, the representative said that no official data were available, but that the number of prostitutes was probably in the range of 10,000 to 15,000. Financial assistance for the reintegration and rehabilitation of former prostitutes was available, and prostitutes had to pay tax. The representative said that prostitution came within the purview of the Ministry of the Interior.

Article 7

339. The representative said that women in France were still excluded from the political arena. That backlog was a heritage from the past as the French Revolution had not encompassed gender issues, and women had obtained the right to vote very late. In the French Parliament only 5 per cent of the deputies were women. The reason why there were more French women in the European Parliament than in the National Assembly was that voting was done on the basis of lists and the European Parliament was not of such political concern. Women were still excluded from political participation in spite of such dynamic steps as appointing women to 6 out of 45 ministers' posts or a woman as prime minister.

340. Asked whether actions similar to those taken to combat sexual violence would initiate progress, the representative said that the political activity of women depended on the political determination of the parties. Candidates for elections were nominated by the party officials. One way of enabling more women to obtain political power would be to establish positive discrimination procedures; however, such measures were not popular with the French people.

341. Asked for further information on the declaration that had been signed by the leaders of the four main political parties in 1989 to modify the *modus operandi* of the political parties and what effect it had had on the attitude of the parties, the representative said that the declaration was not supported by sufficient political will. Members of political parties were mostly men because political life, as practised, was not compatible with the requirements of family life.

342. Referring to an additional comment by a member that the new definition of power referred to by the representative, meaning power in the family, might overcome the division between the private and the public domain, the representative said that the present young generation of women were admitted to the same curricula as men to prepare themselves for participation in political life. They could, therefore, also take up positions of authority and impose equality. Replying to the question whether women were equally disadvantaged in public office and the civil service, the representative said that civil service jobs were compatible with family life and, since 1980, significant progress had been made in that sector.

343. Further questions posed by members concerned the type of measures that were being undertaken to overcome the obstacles to political power-sharing by women, the attitude of women's associations *vis-à-vis* the low representation of women in political life, the relationship of the State Secretariat with women leaders of women's organizations, trade unions and other areas of political power, and the support given by the State Secretariat to their initiatives. Members also asked whether political parties had adopted a quota system, whether they encouraged women to participate in politics at the local and national levels and whether the financial support given to women was the same as that given to men.

Article 10

344. Asked whether the system of scholarships still existed for deserving young girls, the representative replied in the affirmative.

Article 11

345. Turning to measures taken to promote gender equality in employment, the representative said that the participation rate of French women aged between 25 and 60 years, who constituted 46 per cent of the active labour force, was 76 per cent, the highest in the European Economic Community (EEC). Even though women did not leave the labour force to have children, France had one of the highest birth rates in Europe. Girls outnumbered boys at secondary school and at university and they also obtained better marks. However, the wage differential between women and men was on average 30 per cent and the rate of unemployment for women was twice as high as that for men. The representative explained that, on the one hand, there was still a generation of women who had never worked, apart from many immigrant women who had no professional qualifications and were often illiterate and, on the other hand, there was the first generation leaving mixed schools who continued to choose traditionally female jobs that earned them lower pay than jobs in more technical sectors. In order to change the behavioural patterns of girls, parents, teachers, trainers and employers, the Secretary of State had initiated in 1992 a major national campaign entitled "This is technical, this is for her". Simultaneously, all heads of universities had to work out a five-year plan under the supervision of the Ministry of National Education for diversifying the orientation and training of girls.

346. The representative said further that, during the previous three years, great efforts had been targeted on combating female unemployment by retraining women for technical jobs in various branches of industry, thus responding to the needs of industry, and also on integrating women into the labour market. Under the supervision of the Secretary of State and the Minister of Labour, regional committees had been set up to monitor the employment of women. The State Secretariat had also created a special fund to finance the costs connected with retraining, such as care for children or an aged parent, transport and accommodation. Since it was considered that the law on professional equality had not had the desired impact, a training manual had been developed on equality in employment with the intention of demonstrating to companies the economic advantages of training and employing women.

347. The representative said that equality in the field of education was not matched by equality in employment and in remuneration because girls were still being trained in traditional fields as a result of the persistent image of women's roles on the part of parents, teachers and employers. Trade unions had never taken an active part in promoting women's equality in professions. She said that thought should be given to the image of women that sons received in their education. It was a primary concern of the society to reorient family policy.

348. Asked whether any efforts were being made to introduce job-sharing, about flexible working hours, and whether women were in favour of such arrangements, the representative said that, although a great percentage of women worked in part-time employment, it was not out of choice. She was sceptical about part-time work and said that it had been imposed on women for family reasons. Most women would prefer to work full time so as to earn enough money to be able to pay for child care. Turning to questions about the introduction of shorter working hours for women, she said that the working hours should be shorter for men and women as was already the case in some other countries. Asked about night-work, she said that if a ban on industrial night work were to be introduced for women, women would be the first ones to be dismissed when those enterprises experienced difficulties.

349. Members asked the representative whether the principle of equal pay for work of equal value was applied in France and (considering the differential between men and women) which obstacles prevented its strict application and whether the differential was attributable to the fact that many women worked part time. The representative replied that appropriate laws existed and only a few women had chosen part-time employment; lack of implementation was the problem. It was extremely difficult to prove wage discrimination. More women were engaged in work that required special skills than in executive jobs.

350. An additional question was raised as to whether part-time employment affected women's social security benefits.

Article 12

351. The representative mentioned the measures taken against the so-called "anti-abortion squads" that had demonstrated for the past few years at State hospitals and private clinics to stop the abortion services and to intimidate the women who were seeking assistance and the staff in order to undermine the provisions of the abortion law of 1975. As their activities had been non-violent, they remained unsanctioned because of a gap in the law. A new law had been put into force to put such acts under sanction.

352. Asked about more information on the consequences and use of the anti-contraception pill RU 486, the representative said that its use had not resolved the abortion problem. It was freely available to women aged between 25 and 40 years. However, young women did not use it to the same extent, which led to early pregnancies and clandestine abortions. She put the number of abortions per year at 170,000, compared with 600,000 births per year. Contraception campaigns included the use of condoms because of the incidence of HIV infection, and recently it had been decided to distribute them free of charge to high-school students.

Article 16

353. The representative said that the rate of marriages ending in divorce had been 30 per cent during the past 10 years and the number of one-parent families had doubled, and had been over 1 million in 1990.

354. Concern was expressed by members about the high rate of divorce and they asked what its causes were and whether any measures were envisaged to remedy that situation. Whereas the representative made only the level of independence of women responsible for the phenomenon, members said that in other countries divorce was very common also, but for different reasons. They asked whether any research was being carried out on the incidence of single female-headed families, whether freedom of choice was the only reason, whether it had any effect on the role of the male spouse, whether the Government supported women's preference for one-parent families, whether it was envisaging any measures to combat that phenomenon, whether French women considered it to be an achievement and what the consequences of its increase were for the structure of French society and in what way the phenomenon was being monitored.

355. When members said that the appropriate environment ought to be created in order to make it possible for women to have a career and a family life in the traditional sense, the representative replied that while it was the concern of the State Secretariat to offer women the best possible conditions, it could not decide for women on the private lives they wished to have. Taking into account the fact that France was one of the EEC countries with the highest birth rate without its women feeling the need to be married, the representative said that the Government was neither encouraging nor discouraging that situation and that no links should be established between the promotion of women's rights and the existence of families.

356. Referring to additional comments on the high rate of one-parent families in France, the representative said that the main reasons for the one-parent families were the high divorce rate - emphasizing that 85 per cent of the divorces had been initiated by women after three to four years of marriage - widowhood as a result of accidents, and the choice of young women to give preference to their professional career over marriage, and to cohabitation without contracting a marriage. She said that young women were more aware of their identity than their mothers.

357. The additional comments of members referred to the difference in marriageable age for women and men.

Concluding observations

358. The members commended the report for its clear structure and adherence to the general guidelines regarding the form and content of reports, and praised France for having played a pioneering role in many sectors of human rights and

in advancing the status of women. They also commended its presentation by the Secretary of State herself and the fruitful and constructive dialogue following the presentation. However, concern was expressed about the late submission of the revised version of the report and the fact that a number of questions prepared by the pre-session working group, that had been transmitted to the Government, had not been responded to in the oral presentation.

Nicaragua

359. The Committee considered the second and third periodic reports of Nicaragua (CEDAW/C/13/Add.20 and CEDAW/C/NIC/3) at its 219th meeting, on 26 January (see CEDAW/C/SR.219).

360. The Committee noted that the political changes and economic conditions in recent years had affected progress in Nicaragua. It noted that, apart from playing an active role in the tragic and drawn-out conflict, Nicaraguan women had contributed considerably to their country in making important social advances as a result of their awareness of their duties and rights as one of the basic constituents of their society.

361. The Committee observed that the second and third periodic reports submitted by Nicaragua were not as systematically presented as would have been desirable and, in some instances, involved contradictions. It suggested that future reports adhere more closely to the general guidelines regarding the form and content of reports received from States parties under article 18 of the Convention (CEDAW/C/7) and to the general recommendations of the Committee.

362. Before replying to questions, the representative of Nicaragua said that both reports reflected the history of the country, which had involved political events that had had a strong impact on the status of Nicaraguan women. Whereas the second periodic report portrayed the legal situation and the participation of women in all walks of life as a result of the war, the third periodic report presented the actual situation and showed the efforts made and the political will to work on the elimination of the causes that had given rise to discrimination against women.

Questions related to specific articles

Articles 1, 2, 3 and 4

363. Asked about the Constitution of Nicaragua that had been promulgated in 1987 and that had been inspired by a new social order, the representative said that it was still in force and had been neither repealed nor amended.

364. Regarding the questions whether the Government Office for Women, established in 1982, still existed and what its functions were, the representative explained that that Office had been reorganized and transformed into the Nicaraguan Institute for Women (INIM) in 1987. Its main functions were to participate actively in defining and revising government policies and to coordinate with all governmental institutions in order to ensure that they took into account the status of women; to disseminate data on the participation of women in economic development so as to make the Government and society aware of the real situation of women; to promote the participation of women in Government-sponsored projects; to obtain external financing for the strengthening of INIM and the promotion of its programmes; to initiate the revision of laws concerning the status of women; to launch and monitor technical

training programmes that should take into account gender perspectives; to participate in national and international conferences dealing with women's issues; and to promote sources of income and employment for unemployed women. Currently, INIM received allocations from the national budget and from cooperating agencies.

365. Asked for further information on what had been termed in the third periodic report a "reactivation" of INIM in November 1990, the representative explained that INIM had had to start from scratch because neither the former documentation centre of over 2,500 volumes, research findings about Nicaraguan women, the computer centre, archives and documents about projects and the administration of INIM nor the vehicles could be located. INIM had been brought back to life only through the Government's efforts and the support of neighbouring States.

366. Asked whether the Centre for the Guardianship of Minors was still in existence, the representative said that it had been converted into an institution with additional responsibilities within the Nicaraguan Institute for Social Security and Welfare. It provided legal assistance and care to minors, the family and the community, it dealt with the legal requirements for adoption, marital conflicts, the right of guardianship for children and maintenance payments, and it gave legal advice to women in need.

367. Regarding the former Family Guidance and Protection Office of that Institute, which had been dealing with the legal, social and psychological problems of women, the representative said that its legal functions had been transferred to the Legal Petition Office for Minors and the Family (Dirección de Instancia Legal del Menor y la Familia). Its psycho-social functions had been transferred to the Office for Centres and Zones (Dirección de Centros y Zonales), with the same hierarchical structure as the former Office for Family Orientation and Protection.

368. With regard to the Women's Legal Office, an organ of the Luisa Amanda Espinoza Association of Nicaraguan Women, the representative said that it was a women's organization with the political orientation of the Frente Sandinista. She said that currently, the Government supported mainly development projects in favour of, and at the request of, women.

369. Asked for further information on the planned establishment of a statistical information system disaggregated by gender and age group as well as by other characteristics, the representative stated that INIM was currently working on the establishment of such a nationwide network. Furthermore, a census of households, covering population, housing and farming, disaggregated by gender, was being planned.

370. An additional comment was made by a member to the effect that the Convention on the Elimination of All Forms of Discrimination against Women had not been mentioned among the legal instruments on which the unrestricted respect for human rights was based, and yet the Convention was recognized in the country's Constitution. She asked whether discrimination as specified in the Convention was actually forbidden by the Constitution.

371. Bearing in mind that the adjustment programme had led to a reduction of the deficit from 20 per cent to 7 per cent of GNP, as mentioned in the third periodic report, which had resulted in a decline of the living conditions of women and children, a member asked whether thought had been given earlier to the social dimension of the structural adjustment programmes, in order to reduce

their negative effects, and what kind of emergency measures had been adopted to absorb those effects.

Article 5

372. Regarding the question whether the decree of 1979 prohibiting the publication or use of representations of women as sexual commercial objects still existed, the representative said that the law had been put into force in 1979 and had been abolished in 1990.

373. Regarding the measures taken to overcome all forms of gender-based violence and a request for detailed reports on the nature and extent of the problem of violence against women, the representative stated that the President had established the Commission on Violence against Women in 1992. The Commission coordinated its activities for setting up centres for female victims of violence with the Institute for Social Security and Welfare. A centre offering psychological counselling for young female victims of sexual violence had already been established. The Commission was also organizing, together with the police, seminars for dealing with female victims of violence.

Article 6

374. In reply to several questions related to prostitution, the representative stated that prostitution was not legal in Nicaragua. Incitement to prostitution was punishable by three to six years' imprisonment and, if the perpetrator was married to, or lived in a de facto union with the victim, by up to 10 years' imprisonment. The incidence of prostitution was increasing as a result of the economic situation in Nicaragua. The State was not taking any specific measures on behalf of prostitutes, but efforts were being made to integrate them into vocational training. They could also undergo monthly gynaecological examinations in a health centre.

375. Asked about the measures taken by the Government to protect prostitutes from HIV/AIDS, the representative said that education campaigns were being carried out through the mass media and other forms of publicity.

Article 7

376. Although 15 of the 92 representatives in the National Assembly were women, only one woman held a senior position in the legislature. The representative said that the Electoral Law did not call for a specific percentage of women on the election lists. There was only one woman among the seven judges sitting in the Supreme Court of Justice, and only one woman among the five judges who made up the Supreme Electoral Council.

377. Asked about the number of women represented on the Council of Ministers, the representative said that there were two, the Health Minister and the Vice-Minister of Finance. She said that women were represented on many other bodies of administrative authority, such as the Office of the Attorney. Furthermore, the Director of the Culture Institute and the Director and Deputy Director of INIM were also women. The proportion of women in the legal profession was about 20 per cent. In general, women were well represented among the advisers of persons holding political decision-making positions.

Article 8

378. Asked how many women were representing Nicaragua in other countries and how many were employed in international organizations, and what their proportion in relation to men was, the representative said that there was one woman ambassador who was serving as ambassador in five countries concurrently.

Article 10

379. Questioned about the fact that women accounted for 51.6 per cent of all illiterate persons in Nicaragua and asked whether any literacy training programmes were targeted on women, the representative said that the adult education programmes were not specifically directed to women.

380. In answer to questions about special programmes to encourage education for women, the methods pursued by the Government to eliminate stereotyped concepts of the roles of men and women, and programmes to steer women in the direction of industrial education courses, in keeping with the requirements of the State, the representative said that the Government carried out training activities in non-traditional sectors through the National Technological Institute. That training had an impact on women because they became interested in seeking alternative employment. More and more women were looking for alternative education patterns, but the impact of those programmes would be felt only in the long term. Use was made of publicity campaigns on the radio to inform women of training opportunities. She said that at the end of 1992 it had been urged that an information centre for the training and employment of women should be created to carry out the vocational training of women through seminars for employers, teachers and people in general, and through publicity. The programme of the National Technological Institute had become part of a regional training programme involving eight Latin American countries.

381. In an additional comment, a member underlined the need for further improvement in the educational and cultural levels of women, saying that, in spite of the Government's efforts, the country's goals had still not been attained.

Article 11

382. Asked about the effect on women of the changes introduced since 1990 in the approach to the economy, the representative explained that the impact had been greatest on women heads of household. As they were less educated and had insufficient training to qualify them for higher paid jobs, they had access only to low paid jobs, which had led to an increase in the number of persons living in poverty.

383. Concerning questions on the actual rate of unemployment in Nicaragua and the proportion of women that were unemployed, the representative replied that currently 51 per cent of the economically active population was unemployed.

384. Regarding the participation of women in the economically active population, the representative confirmed that the figure of 34 per cent, given in the third periodic report, was correct.

385. Asked for the reasons for the decrease in the economically active female population in the rural sector, the representative said that many of the persons who had made up the rural population had emigrated to urban areas because of almost 10 years of war and because of natural disasters. In urban areas, women

mostly tried to find jobs in the informal sector and in domestic employment. No information was given on measures taken to correct the situation.

386. While the representative did not indicate the current percentage of women working in the informal sector, she enumerated various economic assistance programmes for women employed in the informal sector, such as financing programmes for small and medium-sized businesses and programmes of communal banks for financing the productive and commercial activities of women heads of household who had no access to credit and lived in extreme poverty.

387. In response to a question on the outcome of a ruling by the International Court of Justice at The Hague under which Nicaragua should be compensated for the losses that it had suffered as the result of indirect aggression and whether, if it had been, any of the money was being used to improve the situation of women in Nicaragua, the representative said that no such ruling had been made and consequently no indemnity had been paid.

388. Asked about the kind of assistance given to women heads of household, the representative said that the Government was encouraging a promotion and training programme through INIM, in coordination with several ministries and the Institute for Social Security and Welfare, which consisted in literacy campaigns and training activities in traditional and non-traditional jobs in order to facilitate access to income-generating credit. The latter organization was also establishing day-care centres to offer security to children and to facilitate women's integration into the labour force.

389. In additional comments, further information was requested on women in the informal sector, including statistical data and details about their working conditions; job-creation measures for women; and the situation of working mothers, since not enough day-care centres were available and women did not have adequate access to labour-saving technology.

Article 12

390. Asked about the plans of the Government to adopt a general policy for the protection of maternity, reproductive health, and occupational health and safety, the representative said that the right to health of all citizens was covered by article 59 of the Constitution. Through the Institute for Social Security and Welfare, the Government was trying to decentralize the health services and to provide social assistance to all workers.

391. Regarding the question whether the Government was carrying out any programme of education and assistance to deal with the problem of abortion, which was referred to as the third most common cause of death among mothers, the representative explained that the Government was a member of the regional commission for combating maternal death and it acted through the Ministry of Health and various subcommissions. The reduction of maternal death was one of the priorities of the Ministry of Health within the framework of its programme for mothers covering the time of pregnancy and the first years of infancy.

392. In additional comments, concern was expressed about the high incidence of death related to abortion and the question was reiterated as to what kind of family planning and assistance measures the Government was carrying out. Members also asked whether the Government had approached governmental and non-governmental organizations to assist the country in alleviating its food shortage that affected mostly women and children.

Article 14

393. In response to a question, the representative said that, according to the statistics of 1990, women accounted for 40 per cent of the agricultural wage-earning workforce.

394. Asked about programmes of assistance for rural working women, the representative mentioned the programme "Women, environment and development", which promoted the participation of rural women in the country's development. It was an integral programme that was aimed at the practical and strategical necessities of rural women, including access to credit, self-esteem and legal literacy.

395. Regarding the data in the second periodic report on the proportion of rural women who were heads of households, the representative said that no more contemporary data were available, but it could be assumed that the proportion had increased because many women had become widows or orphans as a result of the war.

396. Referring to assistance programmes for rural women workers, the representative said that the Government was trying to promote the extension of education, health, training and medical services through municipal governments.

Article 15

397. Replying to the question whether women still did not have full legal capacity because as stated in the second periodic report, they were equated, in terms of legal capacity, with children and disabled persons and required legal representation in most cases, the representative said that articles 27 and 48 of the Constitution gave women equality before the law with men.

398. In an additional comment, a member pointed to a contradiction between law and practice in Nicaragua. She was concerned that while women participated in the political life of the country, they did not have full legal capacity and could not appear in court on their own behalf. When asked how women reacted to that situation, the representative replied that women were represented in all political institutions and, in the absence of appropriate written laws, women resolved their problems in a pragmatic way.

Article 16

399. Referring to observations made on Law No. 38 on the dissolution of marriage at the wish of one of the parties, a practice that gave rise to a series of injustices whose effects would be felt most by women and children, the representative said that the law had been promulgated in 1988. Although the law was still in force, some progress had been made in that it had been analysed; the population, mainly women, had been consulted and more Government support for the payment of maintenance had been required. She said that women had made most use of the law. Simultaneously, other laws had been put into force, such as the law on alimony.

400. Asked to clarify a presumed contradiction between the second and the third periodic reports regarding the treatment of pregnant women prisoners, the representative said that there was no contradiction between the two reports. It was correct to say that no special law protected pregnant women prisoners, and the statement concerning their special treatment referred to administrative

measures to protect pregnant women prisoners because of the non-existence of a special law.

401. Regarding the concern expressed by members over the high incidence of early marriages and the high percentage of unregistered marriages, and questioned on the Government's view, the representative said that the Government did not promote early marriages. They were a fact of life on account of the natural conditions of the country with its numerous seismic events, its volcanoes and other natural disasters, and, most important of all, the early maturity gained from participation in the war.

402. An additional comment was made on the number of families where children lived with only their mother, a situation that was harmful for their upbringing. A member asked what the Government's view was.

403. Regarding the high divorce rate and questioned why most divorces were initiated by women, the representative replied that women had never shirked playing many roles. Although men continued to be the political decision makers, women took decisions behind the scenes. She said that women carried a sufficient part of the burden of income-earning and child care, that they were unwilling to support a spouse who did not contribute and accordingly they were willing to ask for a divorce rather than to continue supporting an unnecessarily dependent husband. In the same way as they carried out any kind of activity, they also asked for a divorce if necessary.

Concluding observations

404. Members commended Nicaragua for the fact that it had ratified the Convention without entering any reservations, for the timely preparation of its reports and their presentation to the Committee, and for the detailed replies to the questions. It was particularly impressive because the country had undergone so many changes and had suffered from a war, natural disasters and a trade embargo. It demonstrated the political will of the Government and its commitment to the women's cause. Tribute was paid to Nicaraguan women who had taken such an active part in all walks of life. Members commended the country's ratification of several other international conventions relevant to women's rights and they hoped that those international instruments would also be properly implemented. Concern was expressed, however, that neither of the reports had followed the Committee's general guidelines regarding the form and content of reports nor had they taken into account the Committee's general recommendations. Members said that a consideration of the Convention, article by article, would help the Government in overcoming some of its difficulties in promoting the status of women. An effective application of the provisions of the Convention would improve the situation of the entire society.

Republic of Korea

405. The Committee considered the second periodic report of the Republic of Korea (CEDAW/C/13/Add.28 and Corr.1) at its 224th meeting, on 28 January (see CEDAW/C/SR.224).

406. The Committee considered that the report gave a good overview of legal and administrative developments in the Republic of Korea in terms of women's rights since the submission of the initial report, testifying to the continued commitment of the Government to eliminate discrimination against women. However, the remarkable development of the economy, which had brought an

increasing number of women into the economically active group, had yet to bring about a corresponding advancement in terms of women's political role and their participation in decision-making.

407. In her introductory statement, the representative briefly described the contents of the second periodic report and the developments that had been achieved or attempted. She informed the Committee that the report had been formulated according to the general guidelines regarding the form and content of reports and the initial report that had been reviewed by the Committee at its sixth session. The second periodic report dealt mainly with the progress of the implementation of the Convention and also with the questions unanswered at the time the initial report was submitted. The second periodic report had been prepared jointly by the ministries and non-governmental organizations concerned with women's affairs.

408. The representative said that the introductory part of the report mentioned the institutional framework, the progress made in achieving de jure and de facto equality, and the policies to abolish the discrimination faced by women in the Republic of Korea.

409. In addressing the status of women in her country, the representative pointed out that as a result of industrialization, women had become actively involved in economic activities and, since the revision in 1989 of the Equal Employment Opportunity Act enacted in 1987, women no longer faced such discrimination as restrictive recruitment, wage differentials and limited opportunities for promotion.

410. She said that since the inauguration of the Republic of Korea in 1945, women had enjoyed the same political rights as men; however, their participation in the national decision-making process was still unsatisfactory. Yet their participation in the civil service, education and the mass media was gradually improving. She explained that women were very active in non-governmental organizations, in accordance with the freedom of association guaranteed by the Constitution. Most importantly, she claimed, the revision of the Family Law in 1989 had been a significant breakthrough in providing the same status to women as men, especially in the area of property rights.

411. The representative said that the main provisions of the Convention had not only been integrated into the Constitution but had also become the legal basis for the advancement of women in the country. The Committee noted that the Government still maintained reservations to the Convention and hoped that, in the future, a sustained effort would be made to withdraw those reservations.

412. In replying to the questions that had been submitted by the pre-session working group, the representative highlighted specific measures aimed at accelerating the process of achieving de facto equality.

413. Those measures included the abolition of the sex-segregated recruitment system for government employees, the establishment of Family Welfare Divisions in cities, provinces and districts; the inclusion of women's studies in courses for the training of civil servants and teachers to enhance social consciousness of equality and end traditional prejudices against women, and the Decree of the Prime Minister intended to increase the proportion of female participants in policy-making committees of the Government to 15 per cent by the year 2000.

Questions related to specific articles

Articles 2-4

414. In answer to a question, the representative said that the Ministry of Political Affairs II was in charge of women's affairs, particularly those related to women's participation in various social, economic and political activities. It surveyed public opinion and made policy recommendations concerning the status of women. It also liaised with the departments concerned with coordinating and implementing various programmes on women.

415. The Committee praised the Government of the Republic of Korea for the fact that a number of special laws concerning women's interests had been enacted or revised. Such laws included the Equal Employment Opportunity Act of 1987, the revised Family Law of 1989 and the revised Equal Employment Opportunity Act of 1989 to regulate the question of equality between men and women. The Committee noted that the revised Labour Standard Act (art. 56) stipulated: "no female ... shall be authorized to work between the hours of 22.00 and 6.00 or on holidays unless otherwise approved by the Minister of Labour". According to article 57 "an employer shall be forbidden to place any female 18 years or older on overtime work for a period exceeding two hours a day, six hours a week and 150 hours a year, even if provided for in a collective bargaining agreement". The Committee asked what kind of exceptions the Ministry of Labour had decided to authorize with regard to those provisions. In response, the representative said that article 56 (Prohibition of night and holiday work) had been amended, in March 1989, to read "unless otherwise approved by the Minister of Labour with the consent of the employee". She explained that the right of the female employee had been expanded in that the consent of the employee preceded the authorization of the Minister of Labour.

416. In reply to another question concerning the extent to which the Ministry of Labour's advice had been followed that 20 industries with over 1,000 women workers should establish day-care centres at the workplace, the representative said that, in September 1992, the total number of day-care centres in the Republic of Korea was 4,366, of which 27 facilities were in the workplace, and 41 were in the process of being established. Government and non-profit organizations subsidized the establishment of those centres. The percentage of each age group being accommodated was as follows: 24,370 (20.2 per cent) children below three years of age and 95,857 (79.8 per cent) children between three and five years of age.

Article 5

417. With regard to the measures taken to abolish the traditional stereotype of women in the mass media, education and employment, the representative informed the Committee that, in the field of mass media, the Government was sponsoring a programme entitled "The World of Professions" on the newly established Public Education Broadcasting Station to encourage girl students to acquire a healthy and enlightened attitude towards careers.

418. In the field of education and employment, she said that a long-term strategy to eliminate sexual discrimination was important, providing education at an early age to change traditional attitudes towards women. The Government also operated special programmes for high-school girl students to promote desirable attitudes towards careers. In 1990, the Government had adopted a Model Career Guidance Programme for middle-school girl students, which had been disseminated to the education committees in cities and provinces.

419. Since 1990, coeducation was widely practised in all primary schools: 54.3 per cent of all middle schools and 38.7 per cent of all high schools were coeducational.

420. With regard to the nature and extent of the problem of violence against women, the representative said that her Government had been a sponsor of the draft resolution on violence against women in all its forms adopted by the Commission on the Status of Women at its thirty-sixth session and subsequently adopted by the Economic and Social Council as resolution 1992/18. The Government had accordingly adopted various measures, including public awareness programmes; mass media information on the role of education and the community; provision of shelter houses for battered women, counselling centres for the victims of sexual violence in the workplace, guides and a manual for counsellors and hot lines at police stations; and the dissemination of brochures, pamphlets and stickers.

Article 6

421. In reply to a question on the specific penalties or terms of imprisonment for offenders under the Prostitution Prevention Act and the Enforcement Decree on the Prevention of Prostitution, the representative said that, according to the Act, any person found guilty of prostitution, or of inciting another to commit such an act, could be fined up to 30,000 won (US$ 40) or be punished by imprisonment. In addition, those who provoked or forced others into prostitution, or a husband who provided his wife for such purposes, could be fined up to 100,000 won (US$ 133) or be imprisoned for a maximum term of one year.

422. Regarding the operation of the rehabilitation centres for prostitutes, the number of prostitutes who had benefited and whether any follow-up was provided until they found employment, the representative explained that prostitution was prohibited by the Prostitution Prevention Act and three women's vocational guidance centres were in operation to prevent the occurrence of prostitution and to reinstate prostitutes in society through technical and cultural training. She provided statistics.

Article 7

423. The Committee noted that it was stated in the second periodic report that there were 60 women legislators, but only 26.7 per cent had been elected from electoral districts, while the remaining 73.3 per cent occupied seats in the National Assembly as a result of the national representation system. Clarification of the national representation system and the electoral system was sought. The representative explained that there were two categories of constituency to elect members to the National Assembly, namely, the local electoral districts and the national electoral districts. The allocation of seats to national electoral districts was proportional to each political party that gained five or more seats in the general election for the local constituencies. In cases where there were political parties that had obtained no seat or that had gained five or fewer seats in the general election for local constituencies, but had obtained a number of votes exceeding 0.3 per cent of the total valid votes, then one seat would be allotted preferentially to each of those political parties.

424. The Committee noted that, in the last National Assembly, only 6 out of a total of 299 deputies were women, and in the election of 24 March 1992 the number of female parliamentarians had further dropped to 3. Members asked what

was preventing women from attaining high positions and what had been done to ensure their equal representation. The representative said that in the Thirteenth National Assembly, for the term 1988-1991, all the parliamentarians had been elected in the national electoral districts. However, no female candidates in the local electoral districts had been successful. Since the composition of the parliament depended on the political parties and three of the four main parties had merged, the number of female parliamentarians representing the parties in the electoral districts had accordingly decreased.

425. Concerning public affairs, she said that the level of women in politics and in decision-making had not changed significantly. Women were poorly represented in decision-making positions in the Government. In terms of cultural and social activities, the consumers' movement and some women's organizations had been successful, although some women's organizations suffered from financial difficulties.

Article 8

426. In answer to a question on the percentage of women in the diplomatic corps and what had been done to increase female participation in higher positions in the international field, the representative stated that there were 58 women in the diplomatic corps, representing 4.9 per cent of the total at the end of 1992. The Government was developing a training programme to expand female participation in the international field.

Article 9

427. In connection with the withdrawal of the reservation to article 9, the representative said that the public hearing on that matter had been completed and the revision process was under way.

Article 10

428. Replying to a question concerning an assessment of the Sixth Five-Year National Socio-Economic Development Plan, 1987-1991, with regard to women's issues, the representative outlined the major problems that had been identified by the Committee on the Seventh Plan, such as the lack of equality in education and sex-segregated training. A different educational environment had been created for each sex because of traditional sex roles and prejudices. The differences covered curricula, textbooks, choice of fields of study, educational and vocational guidance, opportunities to study science and technology, training in women's institutions, and teachers' lack of awareness of gender issues.

429. As girl students accounted for only 1.4 per cent of the student body of technical vocational schools, members wished to know whether there were any data on the number of girl students attending vocational high schools, according to the subjects that they specialized in, and whether measures were being taken to encourage more girls to follow technical vocational training or to study technology at universities. They also wished to know how many scholarships and fellowships had been granted to girls to encourage them to follow careers in non-traditional fields. The representative indicated that male students constituted the majority of students specializing in engineering, agriculture and science, while females were highly represented in commercial high schools. She provided statistics on vocational high-school enrolment by gender. She indicated further that the Government had established a girls' high school to [illegible]ge more girls to pursue technical vocational training and that the number

of such schools would be increased. One women's university was in the process of establishing a college of engineering.

Article 11

430. The Committee noted that the revised Equal Employment Opportunity Act included the principle of equal pay for equal work regardless of the workers' sexual identity. Members asked whether that principle had been put into practice and whether there had been difficulties in applying it. The representative said that, in 1991, the Government had furnished all industries with guidelines for eliminating sexual discrimination in employment in order to help ensure the strict enforcement of the Act; however, employers had not abandoned many discriminatory practices. There were no concrete standards for determining discrimination nor were there concrete guidelines for determining the equal nature of work.

431. Asked about the percentage of divorced and separated women in the labour force, the representative said that, in 1988, the marriage rate was 62.7 per 1,000 persons and the divorce rate was 1.7 per 1,000 persons in the labour force; however, the divorce rate had risen to 1.8 per 1,000 persons in 1990 while the marriage rate had remained unchanged.

432. The question was raised whether efforts had been made to procure employment for women who had lost their jobs in the traditional labour-intensive manufacturing trade, as it was transferred elsewhere. The representative stated that the Government was shifting the emphasis of its vocational training to the professional and technical fields after recognizing the changed structure of the industry, which was expanding the opportunities for retraining female workers who had lost their jobs in the labour-intensive sectors. In 1991, the Government had opened a vocational training school for women, which provided courses on office automation, metal crafts, electronics, machine design and fashion design.

433. She provided statistics in answer to a question on the unemployment rate of women according to industrial sector.

434. Asked whether women workers were being trained to perform in traditional occupations, the representative said that, in order to promote women's advancement into non-traditional fields, the Government had founded the An Sung Vocational Training Centre for Women, which provided training programmes for technicians. The Government and some women's organizations were also concentrating their efforts on developing non-traditional occupations for women.

435. In answer to the question whether the Government encouraged women's education for employment that would give them higher pay and status, the representative referred to the Model Career Guidance Programme. The Government was also trying to increase high-tech vocational training and in-service training.

436. Regarding welfare, the representative said that the Government provided selective welfare programmes for the less privileged, based on the principle that the family was primarily responsible for welfare and that the social security system was secondary to the family. The Government's social welfare was based on selection, while the women's welfare programme was focused on children and the less privileged.

Article 12

437. The representative said that, in April 1989, the Maternal-Child Welfare Act was enacted to support fatherless families and unwed mothers. Under the Act, the Government had constructed 77 maternal and child-health centres to improve the health of mothers and children.

438. Asked whether abortion was legally permitted and, if so, under what circumstances, the representative explained that, according to the Criminal Act, abortion was prohibited. Offenders were fined 10,000 won (US$ 12) or imprisoned for up to one year. However, abortion was allowed in exceptional cases under the Maternal and Child Health Act.

439. In answer to a question concerning the family planning policy of the Republic of Korea, the representative said that the country had had comparative success in controlling its population by means of family planning. As a result, the rate of population increase had dropped to 0.96 per cent in 1992 from 3 per cent in 1960; while the total fertility rate had dropped to 1.6 per cent from 6 per cent in the same period. Major family planning programmes included social support programmes, government-supplied contraceptive services and sterilization operations. One of the reasons for the country's success was the activities of the women's groups.

440. Replying to a question on the effects of AIDS on the situation of women and on the action taken to cater to the needs of those women who were sero-positive, the representative said that, under the AIDS Prevention Act of December 1987, regular medical check-ups were provided for vulnerable groups of the population, all donated blood was tested, and education and counselling were provided for those who were infected. At 31 December 1992, there were 245 sero-positive persons, including 27 women, of whom 11 were commercial sexual workers, but since 1989 no further cases had been reported. Out of 10 reported cases of AIDS, 8 had been fatal.

Article 13

441. Members noted that the Government of Korea "had emphasized the protection of fatherless families" and asked how widespread the problem was and what the main reasons were for the single mothers that had led to the enactment of the Maternal-Child Welfare Act. The representative explained that the main reasons for the single mothers were death of spouse (75 per cent), divorce (12 per cent), abandonment by spouse (3 per cent) unknown whereabouts of spouse (3 per cent) and unmarried mothers (3 per cent). The problems of fatherless families were mainly poverty, child education, and mental insecurity. According to the Maternal-Child Welfare Act, low-income female-headed families with children of 18 years or younger were entitled to protection. She said that the Government had been providing such families with the means to raise and educate their children (including middle and high schools and vocational training). From 1992, such families had priority over others in the allocation of permanent rental apartments.

Article 15

442. Asked whether women could obtain a bank loan or conclude contracts without the consent of their husbands, she said that anyone who had an income or who owned property was qualified to obtain a bank loan in the Republic of Korea. The consent of the husband was not necessary in order to conclude a contract.

443. In answering a question on the prospect of changing the law concerning inheritance so that women farmers could inherit land from their deceased husbands and not be bypassed because of their sex, the representative said that the Family Law provided for the equal status of women in the family, especially regarding property. Both wife and husband had an equal right to property acquired after marriage, and had the right to ask for an equal division of such property. In accordance with the revised Family Law, the Government had revised the inheritance law in 1990 and had increased the inheritance tax allowance for spouses, based on the recognition that an unemployed spouse and especially a housewife also had significant property rights. Accordingly, women farmers could inherit land from their deceased husbands.

Article 16

444. Regarding the State party's reservation to article 16, paragraph 1 (g), the representative indicated that it was the custom to use the paternal name as the family name and there was rarely any objection to that custom; however, when the revision of the Family Registration Act began, that custom could change.

445. In answer to a question about the equal right of the husband and wife with regard to property based on the extent of their contribution to the accumulated assets, even if the wife had never worked outside the home, the representative explained that, in accordance with the revised Family Law, the Government had revised the provisions on family registration, tax, and domestic litigation to re-establish the relationship between family members.

446. According to the draft of the bill revising the Family Law, the custody of children upon divorce would be decided on by the court. A question was raised as to whether that provision constituted discrimination against mothers. The representative indicated that the custody of the children upon divorce was determined either by the couple's mutual agreement or the court in accordance with the current family code. That meant that if the wife could not achieve her wish on the basis of mutual agreement, she could go to court.

447. Asked whether there was a criterion or jurisprudence on who was to have custody of the children, the representative said that, according to article 837 (divorce and responsibility for fostering and education of the children), in the absence of an agreement on matters concerning fostering and education, the Family Court could decide on matters necessary for such fostering and education by taking into consideration the age of the children, the property status of the father and mother and any other circumstances. The Family Court could also at any time change such provisions or take any other proper disposition.

Concluding observations

448. Members thanked the representatives for the detailed answers that had been provided to the questions. Additional clarification was sought on a number of points, including the participation of women in political life, the measures envisaged to encourage women to take a more active part in the economic sector, and the provisions on family rights, education and health. Other members expressed their concern that the second periodic report lacked statistics and information on labour laws, especially in view of the country's high rate of economic growth, on the coordination of the different bodies dealing with women's issues and on the practice of sterilization, which seemed to be a widespread phenomenon. The Committee also expressed its concern about the reservations to the Convention made by the Government of the Republic of Korea, and hoped that it would consider withdrawing those reservations.

449. In expressing her appreciation for the detailed answers, the Chairperson said that there were still some obstacles discriminating against women in the Republic of Korea, such as family laws, traditions and discrimination at the workplace. She hoped that the third periodic report would be better and would include all the necessary information and statistical data that had been requested by the Committee.

450. In her final reply, the representative of the Republic of Korea indicated that her Government would attempt to withdraw the reservations. On the participation of women in decision-making, she assured members that the Republic of Korea would do its utmost to improve the situation of women. Other details were provided on such issues as maternity leave, the functioning of the national machinery and family law.

Rwanda

451. The Committee considered the third periodic report of Rwanda (CEDAW/C/RWA/3) at its 227th meeting, on 1 February (see CEDAW/C/SR.227).

452. In presenting the third periodic report, the representative apologized for not being able to reply to the questions of the pre-session working group, which had been sent to the Government before the twelfth session. He said that communication problems between the permanent mission and the competent government offices had prevented him from doing so. He referred to the armed conflict that had been going on since October 1990, which had led to destabilization and a deterioration in the quality of life of the population, in particular of women and children. He noted that the establishment of a multiparty system had created uncertainty. He underlined the socio-economic factors that hampered the effective implementation of the Convention and pointed to the emphasis in the report on the situation of rural women, since they constituted the majority of women in Rwanda and carried out the most arduous tasks.

453. With regard to the political aspects of the status of women, the representative said that expenses had been incurred in the course of the war that should have been dedicated to the development of the country, in particular to the well-being of women. However, all political parties had included the advancement of women in their programmes, and a Ministry for the Family and the Advancement of Women had been created to help women become aware of their rights and liberties. Currently, there were three women ministers. Although there was no machinery to press for the recruitment of women in public service, the number of women in political positions had increased considerably. He noted, however, that the legislation referring to the elimination of discrimination against women could still be considerably improved.

454. Regarding socio-cultural aspects, the representative spoke about the Government's education and health policy and stated that women's associations like Urunana rw'Abanyarwandakazi mu Majyambere (URAMA) were currently stagnating because, in the past, URAMA had been attached to what had then been the only political party. Currently, however, URAMA and other non-governmental women's associations were trying to establish their identity and find new ways and methods of carrying out their work. The Government's health policy concentrated on the most vulnerable groups of society, namely, mothers and children.

General observations

455. Members pointed out that the Government should be fully aware that marginalization and the increasing impoverishment of women constituted a serious obstacle to society as a whole. Regarding government programmes and awareness-raising campaigns to promote the advancement of women, members wanted to know what those programmes were and what the practical results of those campaigns had been.

456. Asked whether any efforts were being undertaken to remedy the current lack of statistical data disaggregated by gender, the representative stated that the statistical service was not well developed, nor was the need for disaggregating data by gender properly understood in the country.

457. In reply to questions on the number and category of persons that had been affected by the civil war, the representative stated that the number of displaced persons was 320,828, among whom there were 18,828 children under five years of age, 2,832 orphans, 780 widows and 11,000 pregnant or lactating women.

458. Concerning the preparation of the third periodic report, members inquired whether it reflected national consensus and whether women's organizations had also been involved in its preparation.

Questions related to specific articles

Article 2

459. Considering that women were deprived of equal rights in many fields, such as inheritance, property, access to credit, legal capacity (of married women) and political representation, members asked whether there were plans to enact the necessary laws or to amend existing ones. The representative explained that it was difficult to make parents change their traditions and to make them understand that their daughters, even if married, still had the right to inherit from their parents. Traditionally, families assumed the debts of their members and were entities that belonged to men rather than to women. To change people's customary outlook was a very slow process.

460. Members asked why the President of the Republic had not enacted the family code although it had been adopted in 1988.

Article 3

461. Members asked whether specific programmes were being carried out in Rwanda to advance the status of women and what form they took.

462. When asked for a timetable of URAMA efforts to advance the status of women, for information about the relationship between that association and the national machinery for the advancement of women or other similar institutions, whether it was a legitimate organization and what its administrative structure was, the representative said that, previously, URAMA had had close links with the single existing party in the country. With the establishment of the multiparty system, the association had lost its identity and structure. Currently, there was no further close connection with the Government and subsidies would have to be sought. Only when democracy had taken hold could it be expected that URAMA would draw up a plan of action.

463. As it had been stated in the third periodic report that the monitoring of the implementation of the Convention was the responsibility of the Ministry of the Interior, members asked about the nature of the machinery for such monitoring and whether URAMA was also involved in the process.

Article 5

464. The representative explained that currently no change in traditional practices and customs was foreseen in any programmes.

Article 9

465. In view of the contradiction between the Law of 28 September 1963 regarding the conditions for transmission, retention, acquisition or change of nationality and the Convention, in that the Law was discriminatory to women, the representative agreed with the Committee's recommendation that the Government should do everything possible to revise the Law and bring it into line with the provisions of the Convention.

Article 10

466. Considering the low level of literacy in Rwanda, members inquired whether specific machinery existed to pursue the objective of URAMA to eliminate illiteracy among women. The representative replied that there was no special machinery to ensure that girls or boys received schooling, but that awareness-raising was being carried out through local community meetings, particularly as primary education was obligatory and free of charge.

Article 11

467. When asked about the existence of structural adjustment programmes, analyses of their negative effects and possible measures to secure the employment of women, the representative said that the effects in Rwanda had been devastating. A meeting with URAMA and the donor parties was planned to overcome the negative effects.

Article 12

468. With regard to a question about family planning services, the representative stated that family planning was dealt with by the National Office for Population. Its most important task was alerting women and men to the dangers that closely spaced pregnancies constituted for the lives of women and their children.

469. Members asked whether the statement in the third periodic report that Rwandese health policy remained "oriented towards mass medicine" and whether offering "priority care to the most vulnerable population groups" meant that contraceptives were easily available in Rwanda. They asked further what the contents of the family planning programmes and their results were, in view of the fact that a woman's fertility had a very important social meaning in African countries. In view of statistical data indicating that the most frequent offences for which women were imprisoned were illegal abortions, members inquired whether women had any access at all to safe and legal abortion.

470. The representative mentioned the recently created National Laboratory for the Fight against AIDS to raise people's awareness of the importance of using condoms. Awareness was being promoted through radio publicity, information

distributed by local dispensaries and specific seminars. Members asked whether education programmes for young girls existed.

Article 14

471. Considering the large percentage of women living in rural regions, members asked whether any specific programmes had been implemented for them and whether there was the intention and means of evaluating, in monetary terms, the economic value of the domestic work undertaken by rural women. The representative stated that, apart from awareness-raising campaigns, there were no specific programmes for rural women. The five-year plans referred to development in general, but were not specifically geared to women.

472. Members asked under which exceptional conditions rural women could own land and obtain access to credit.

Concluding observations

473. While members of the Committee expressed appreciation for the timely submission of the third periodic report, in spite of the country's dire economic and political situation, and also for the frank presentation, they suggested that the third periodic report did not show the Government's commitment to advancing the status of women since it often referred to legal institutions that had been in force at the time of the previous report. It was not apparent whether the actual situation of women had changed and what measures had been taken to improve their situation. As the representative had not answered most of the questions that had been sent to the Government before the twelfth session, members asked that the answers be provided to the Secretariat in writing within a month and be circulated to them in the working languages. They urged that the Convention be disseminated as broadly as possible and hoped that it would be a useful instrument for Rwandese women to make the Government adhere to its international commitment to improve the status of women.

Sweden

474. The Committee considered the third periodic report of Sweden (CEDAW/C/18/Add.1) at its 226th meeting, on 1 February (see CEDAW/C/SR.226).

475. In introducing the report, the representative reminded members that active and continuous work was needed to achieve a balance of power and de facto equality between men and women, which meant that the differences in conditions in society had to be made more visible and taken into consideration in all policy fields. Of as much importance as political will was activity by women themselves in demanding changes and improvements. Although Sweden had come further than many other countries, problems still remained and prejudices and traditional views persisted, which prevented women from the full enjoyment of entirely equal opportunities.

476. She described the latest developments in Sweden, pointing out that the Minister of Social Affairs, who was also Deputy Prime Minister, had taken over equality issues in January. As a result of the general election in September 1991, a coalition Government had been formed, which included 8 women in a cabinet of 21 ministers. Among others, the ministers of finance, justice and culture were women. The number of women in Parliament had decreased (from 38 to 34 per cent) mainly because two new political parties, both with a low proportion of women, had obtained seats in Parliament.

477. The new Equal Opportunities Act had entered into force on 1 January 1992. Its purpose was to strengthen the possibilities for men and women to have the same opportunities in working life, and to improve cooperation between employers and employees in order to attain equality and prevent the occurrence of differences in pay and other terms of appointment.

478. Employers were obliged to take active steps to promote equality at the workplace: those with 10 or more employees had to draw up a plan for their work to achieve equality. An account of how the measures had been implemented had to be included in the plan for the following year. In addition, employers had to ensure that no employee was subject to sexual harassment. An employer who did not comply with the obligations would be liable to a fine. The Equal Opportunities Ombudsman and the Equal Opportunities Council oversaw compliance with the Act.

479. The second part of the Act contained several provisions concerning sex discrimination. The rules on pay discrimination had been strengthened so as to enforce the principle of equal pay for equal work and work of equal value. Cases of infringement were tried mainly by the Labour Court on the initiative of the Equal Opportunities Ombudsman or a trade union.

480. Moreover, the Act contained proposals to strengthen the Five-Year Plan of Action for Equality. Violence, battering and other forms of physical abuse against women were considered to be serious expressions of the lack of equality and imbalance of power. Corrective measures included the nationwide training of personnel (police officers, judges, medical doctors and social welfare officers) who came into contact with battered women. The aim was also to achieve better coordination between the authorities at the regional and local levels. The police had been allocated funds to provide technical equipment and bodyguards for women who were subjected to threats of violence. In addition, Parliament was taking action to increase the penalties for crimes of trivial assault from a fine to imprisonment for up to six months. The sentence for aggravated assault was at least one year and at the most 10 years.

481. In accordance with general recommendation 18 (tenth session), 14/ the representative mentioned special provisions concerning the status of disabled persons. She also referred to a bill that would strongly increase the financial support for disabled persons, and the provision of a supplementary pension for those taking care of a disabled child. She noted the project entitled "Women with disabilities", which was intended to create networks, stimulate activities and draw attention to the situation of disabled women.

482. She said that the Swedish educational system was undergoing a change. Municipalities were free to set their own priorities for the use of resources but the general goals were set by Parliament. The national goal, according to the Education Act, was the achievement of equality between men and women. Recently the Government had instructed the National Agency for Education to develop a strategy to attain that goal. Two working groups had been set up to study the promotion of equality in the school system and female participation in higher education.

483. The participation of women in the labour market was very high; 83 per cent of Swedish women were gainfully employed in 1991. However, women's increasing participation had not been matched by a similar increase in men's use of the parental benefit. Currently, only 8.1 per cent of fathers used the benefit to stay at home on almost full salary during the first 12 months after the birth of a child. A new working group, "Fathers, children and working life", had been

appointed to deal with the issue and to study the obstacles in working life that hindered men from taking such a leave of absence.

484. The labour market continued to be sex-segregated to a large extent. Together with other measures, the upgrading of women's traditional work was considered important. The issue of pay differences was high on the agenda in Sweden. A committee had been appointed to look into the matter and it would be presenting its report to the Government shortly.

General observations

485. Members commended the third periodic report for its comprehensiveness, with regard to both content and form. Members noted that there was not much need for further questioning. Sweden was praised for submitting its reports in a timely, interesting and well-organized fashion. Moreover, the fact that the Government had not made reservations to the Convention was noted with appreciation. The Committee was pleased that the Government recognized the importance of the Convention as a major human rights instrument.

486. The members acclaimed the activeness of Swedish women, which they characterized as a movement, in promoting equal opportunities between men and women for many years. They referred to the research and analysis conducted, the political pressure exerted and their other means of work. Special reference was made to an international meeting (Kvinnor kan) held the previous year at Stockholm, at which thousands of women had gathered to examine the achievements of Swedish women in all fields of society. Many members had had a chance of participating in that extraordinary event. They had recognized how the women's movement in Sweden had attracted an extremely large number of women, who had a strong will and the enthusiasm to make still further progress in their status.

487. The valuable experience of the policies of the Government of Sweden was said to provide a good model for other States parties. The formula for bringing about equality seemed to be a combination of Government action to determine the framework, and a positive individual response, for the removal of all the barriers. Government policy concentrated not only on equality between men and women, but also on the improvement of the living standards of all citizens, which had made Sweden a model of the welfare State. While the policies of the Government were praised, anxiety was at the same time expressed by the Committee about what would happen if the welfare system (if it was the main contributor to the advancement of women) was called in question and policies changed on account of structural economic problems. Members specifically asked whether the new Government of Sweden would continue the policies of the previous Government and maintain the same social services. The Committee expressed its concern about how the Government would adjust its policies to reflect economic reality during the recession. It was hoped that the continued and sufficient exercise of the existing machinery and power of women would ensure that adjustment policies would not be detrimental to Swedish women.

488. The representative replied that the welfare State of Sweden was not over yet, although economic recession had precipitated a serious discussion concerning the necessary adjustments. The Government intended to maintain and further a high level of social services. She noted that economic problems had strengthened the movement of women in their work of defending equal rights.

489. The Committee also applauded the institution of the Equal Opportunities Ombudsman to monitor and implement equal rights legislation. Moreover, a tribute was paid to the work of women's organizations in instituting development

programmes in developing countries. Noting that Sweden had been ranked first in an index concerning the status of women, 15/ a member pointed out the flawed methodology of using certain indicators, representing mainly social and economic measures. Such a practice had a negative effect on the ranking of poor countries, which might have succeeded better in the human rights area, specifically concerning women's rights. A more realistic and objective system of evaluation was required to conform the methodology of measuring human development to the criteria used by the Committee on the Elimination of Discrimination against Women, giving consideration, among others, to the social role of women, their participation, self-administration and individual mobility.

490. While the high political participation of women was acknowledged, the Committee was concerned about true equality in the labour market. Although women's participation rate in the labour market was one of the highest in the world, women still lacked access to the highest positions, especially in the private sector. Taking into account the high level of education and the encouraging policies of the Government, members regretted that the labour market remained highly sex-segregated. The Committee asked an additional question about a possible new concept of gender neutrality, as reference was made in the Equal Opportunities Act to "the equal rights and opportunities for men and women". Members considered that, in order to promote women's rights in professional life, the law should stipulate more explicitly the goal of improving the status of women. The representative answered that, although the wording of the Act was not biased in favour of either sex, the law in the first instance clearly stated its aim, namely, improving the status of women.

491. An additional question was asked concerning the role of non-governmental organizations in the preparation of the third periodic report and, specifically, how many and what kind of organizations had been involved and what kind of consultations had been held between them and the Government. The representative replied that the Council on Equality Issues, consisting of 29 members from non-governmental organizations, women's organizations, political parties etc. had made valuable comments on the report. The Minister of Equality Affairs held consultations with the Council four to five times a year in order to share information.

Questions related to specific articles

Article 2

492. The Committee wanted to know, with a view to extending the protection afforded under the Penal Code, what the most frequent forms of sex discrimination in Sweden were. The representative replied that sex discrimination usually concerned the conditions of women in working life, which was why the Equal Opportunities Act (a part of the labour law) regulated that area. In addition to the Constitution, there were rules in other fields also, most notably in education. Sex discrimination was not treated as a criminal offence, except in cases of violence and molestation. No decision had been made, nor was one likely to be made in the near future, on extending the scope of the Swedish Penal Code to cover sex discrimination.

493. Regarding the punishments for employers who infringed the Equal Opportunities Act, the representative said that employers could be forced to pay compensation to the victims. Compensation was paid for both financial loss and moral injury. Although there had been a tendency towards awarding higher compensation, the level of payment had generally been recognized to be rather low. The highest amount paid so far had been 40,000 kronor (US$ 5,600).

494. The representative did not believe that a fear of punishment led to the settlement of discrimination disputes by negotiation. On the contrary, the Equal Opportunities Ombudsman had a duty to attempt to bring about a voluntary settlement first. Only if the ruling would constitute a precedent, or for other special reasons, would the case be presented at the Labour Court. Moreover, many women felt the judicial process to be difficult and embarrassing.

495. Asked about the nature of the majority of the cases that had been brought to court, the representative said that most were related to conditions for work. Usually the problem was about evaluating and comparing qualifications for the job concerned. The hearing of a case thus centred more on the merit of the candidate than on the issue of discrimination. Section 17 of the new Act was intended to deal with cases where the employer had a direct discriminatory purpose.

496. Clarification was requested on the national machinery, especially in view of the recent transfer of responsibility for equality issues from the Ministry of Culture to the Ministry of Social Affairs. It was noted that proper coordination and integrated problem-solving were essential for efficient work. The representative stated that there was no ministry dealing solely with equality issues; the issues had been incorporated into various ministries, depending on which minister was responsible for equality affairs, which, in turn, depended on the political situation and who wanted to assume responsibility for the task. The Equality Affairs Division was a coordinating body monitoring and influencing other ministries to take gender perspectives into account in their proposals, recommendations and legislative work. It functioned as a watchdog for other bodies.

Article 3

497. Referring to a bill that would strongly increase the level of financial support for disabled people, the Committee requested that a copy of the bill be made available, as well as information on how it affected disabled persons. Members asked whether disabled women had their own non-governmental organizations or whether they acted inside the existing women's organizations.

Article 4

498. Replying to a question on the award of parental benefit until a child was eight years old, the representative said that the duration of parental benefit totalled 15 months, which could be deferred and spread over an eight-year period. Parents could decide between them how they divided the time taken off from work; however, both parents could not receive such a benefit simultaneously. Fathers were entitled to 10 days of leave with parental benefit in connection with childbirth.

Article 5

499. With regard to the funding of the Ethical Council, the funds were received solely from the advertising associations and the Council did not receive any funds from the Government.

500. Asked about the incidence of violence, statistics on the subject and recent trends, as well as the most frequent forms of violence, the representative said that assault was the most frequent form; 14,285 cases had been reported in 1991. In comparison with 1990, there had been a slight decrease. The trends concerning reported rape had been more or less constant since 1989; however, the

statistics did not provide an accurate picture, since many women did not report such crimes. There had been limited, inconclusive research on the reasons for male aggression, but there was a consensus that the overall explanation lay in the lack of equality and imbalance of power between men and women.

501. In general observations, the Committee, referring to training given to persons dealing with battered women, wished for more information on the effects of that training in the next periodic report. In a time of changing social patterns, the key questions were how to change the violent pattern of male behaviour and how to reach suffering women. It was suggested that a survey should be conducted among the battered women themselves.

502. Referring to the achievements of the Government of Sweden in other fields, members noted with concern that the trend of violence was constant. They pointed out that the issue had appeared on the agenda of the Government quite recently, which was a reason for them to request that a closer relationship be forged between the Government and the grass-roots levels, especially women's groups. The Government was asked to consider taking a different approach to the treatment of domestic violence, because the problem seemed to be hidden, as reflected in the underreporting. If the cases were treated as other criminal offences were, with the police being obliged to arrest and prosecute the perpetrators regardless of whether the women wished to prosecute or not, with therapy provided for the perpetrator, the positive outcome would be a changed social attitude towards domestic violence.

503. The representative responded that the subject of violence had not recently been taken up by the Government and it had definitely not been forgotten, as legislation had been quite severe and public procedures provided. Domestic violence was an extremely difficult area with particular characteristics that could not be compared with those of other acts of violence. The policy of the Government in addressing the problem was to take into account all aspects of the equal opportunities policy in order to bring about changed patterns of behaviour in all fields.

504. With regard to men's response to the "Daddy come home" campaign, the representative said that no statistics were available on the impact of the campaign. The campaign was continuing, taking different forms each year. Its aim was to achieve changed behavioural patterns in the long run.

505. In an additional question, members asked whether statistics were available that would show differences between urban and rural areas with regard to men's use of the parental benefit. The representative regretted that no such information was available but hoped that some statistics could be included in the next periodic report.

506. Asked about the role of men within families, she referred to a recent study, which had shown the amount of time that women and men spent on work. The amount of time was approximately the same, the difference being that only half of the working time of women was paid. Members asked for more information on single-parent households and on the sharing of household tasks.

Article 6

507. Asked about public opinion, as well as that of women's organizations, on prostitution, whether prostitution was increasing or decreasing, and whether mainly Swedish women or also immigrants were involved, the representative said that the latest survey concerning prostitution was 10 years old. Currently the

issue of whether the act of purchasing the services of a prostitute should be criminalized was being debated intensively and a committee had been appointed to study the matter.

Article 7

508. Regarding legislation that would ensure a certain proportion of women in the lists of candidates for popular election, the representative stated that such legislation did not exist. However, many political parties had internal rules or practices on the nomination of women.

509. Asked whether Sweden still promoted the "Fifty-Fifty" campaign as seen in some international forums, the representative stated that the goal remained the same, although the Government could not impose a certain behaviour on political parties. The Government was only responsible for certain areas (boards of public bodies, committees, working groups etc.). To affect the political parties, public opinion needed to be created. Generally, women remained active in political life; all political parties had their own women's organizations.

510. The representative gave a positive answer to a question concerning the current target of attaining 30 per cent of women on public bodies. On committees and at the regional level, the number was slightly under 30. The next goal was 40 per cent by 1995. An evaluation of measures taken in recent years would be presented to the Government shortly. In an additional question, an explanation by the Government was requested concerning the obvious obstacles women experienced.

511. Asked about the efforts of employers' and employees' organizations to increase the number of women in decision-making bodies, the representative said that general activity had risen in that field. She referred to training and projects, which were aimed at both encouraging women to seek higher positions and bringing about a change in attitude. Special reference was made to the Swedish Trade Union Confederation, which had created a large network and acted successfully as a pressure group contributing to an increased visibility of the problem.

Article 11

512. Regarding the current level of female unemployment, the representative said that it had increased to 3.6 per cent, as against 5.5 per cent for men. The unemployment rate for young women was as high as 9.1 per cent (11.6 per cent for young men).

513. In an additional question, the Committee indicated its serious concern about the high unemployment rate among young girls, as the first work experience of a person was crucial to her or his attitude towards employment generally. Members asked whether the Government intended to improve the situation. The representative replied that the Government had not given up its goal to maintain full employment in the country. The unemployment rate was, however, likely to increase in the future, because of the restructuring of the public sector, especially at the local level. The Government planned support programmes for young unemployed persons.

514. Asked about the criterion on which the decision to phase out gradually the widow's pension had been based, the representative noted that the main reason was to strengthen the financial support provided for children and to have the same rules for men and women.

515. Concerning the minimum wage, she explained that it was not covered by legislation; wages were set by collective bargaining. Collective agreements might contain minimum wage provisions for certain categories of worker.

516. The Committee asked whether the goal that all children under six years of age should be entitled to State child-care facilities had been reached. The representative replied that some municipalities had reached the goal, while others still lacked a sufficient number of child-care facilities. The issue was currently being discussed within the Government.

517. Asked about the sex-segregated labour market, the representative noted that the same problem prevailed in the school system. In reply to a question about the effects of the Equal Opportunities Act, she said that an evaluation of the Five-Year Plan of Action for Equality would begin in 1993 and its results would affect the implementation of the new Act. Members pointed to the low percentage of women in higher positions, especially in trade unions and private enterprises. They asked whether private companies had internal plans of action to promote the progress of women in the workplace. The representative referred to a strong women's movement in trade unions, and was hopeful that the situation would improve in the near future. A study had revealed that, although the very top-level echelons lacked women, many women were employed at the level immediately below. The Government tried to encourage companies or offices to promote women to higher positions. She remarked that it was very important to have statistics to make the problem more visible. She affirmed that the provisions of the new Equal Opportunities Act applied similarly to public and private employers.

518. Asked about the disadvantages experienced by disabled women in entering the labour market, she said that she presumed that double disadvantages for them existed, although there were no studies on the matter. In reply to a question concerning male dominance and promotion differences in the Foreign Ministry, the representative said that a network had been created recently among the women working in the foreign service aimed at improving the situation within the Ministry.

519. Additional questions were asked about women working part time, since the number in Sweden was extraordinarily high. Members also asked what the results had been of the Government effort to reduce involuntary part-time work and what was the attitude of labour unions. The representative referred to the previous Government's declaration to consider other measures if the situation remained unchanged. Although the previous Government had had no success on that issue, she hoped that changes would occur under the new Government. Since the unemployment rate had increased, however, part-time employment had become a minor problem.

Article 12

520. A member of the Committee requested information on the incidence of AIDS/HIV among women.

Article 16

521. An additional question was asked about the trend concerning single-parent households, what the divorce rate was, and how many children were born out of wedlock. The Committee also wanted to know about public opinion on single-headed households, and what women especially thought about the matter.

No statistics were immediately available, but the Government promised to include them in the next periodic report.

Concluding observations

522. The experience of Sweden could be viewed with both admiration and anxiety. Sweden was at the vanguard of the movement for women's rights, but the experience also showed how long the process took and the problems that remained. On account of economic crisis and technological progress, many Western European countries were facing new challenges, not least a welfare State like Sweden, which in former years had guaranteed full employment for its citizens. All the changes would have an effect on the status of women also. The Committee observed that it was therefore essential that Swedish women, among others, doubled their efforts in pushing women's rights further forward. The Committee expressed its hope that women would, after their efforts, stand even stronger, together with the welfare State itself.

United Kingdom of Great Britain and Northern Ireland

523. The Committee considered the second periodic report (CEDAW/C/UK/2 and Amend.1) of the United Kingdom of Great Britain and Northern Ireland at its 223rd meeting, on 28 January (see CEDAW/C/SR.223).

524. In the opinion of the Committee, the second periodic report of the United Kingdom contained a wealth of valuable information, but it could have been more analytical and could have included the most up-to-date information. It would be desirable if future reports would follow the general guidelines regarding the form and content of reports (CEDAW/C/7) and comment in particular on all the general recommendations that had been made by the Committee.

525. In introducing the report, the representative outlined the reformed national machinery and brought the members up to date on the main areas of progress in women's issues. She said that the Secretary of State for Employment coordinated policy issues of special concern to women in a new Cabinet . Subcommittee for Women's Issues, consisting of ministers from all the key government departments. The Subcommittee reviewed and developed policy and strategy for women and, most importantly, oversaw the implementation of work in that area. A policy framework had been agreed to ensure that women's issues were considered as an integral part of government policy development. The Subcommittee reported regularly to the Ministerial Committee on Home and Social Affairs and to the Prime Minister.

526. The Equal Opportunities Commission, established under the Sex Discrimination Act of 1975, worked towards the elimination of discrimination, promoted equality of opportunity between men and women, kept legislation under review and drew up and submitted proposals for amendment. The Commission was a non-departmental public body, funded by the Government. Its main function was advising and assisting individuals in taking action under the law on sex discrimination or on equal pay. It published guidance and research promoting its objectives. In addition, the Women's National Commission, consisting of members of voluntary organizations, political parties and trade unions as well as religious and professional groups, functioned as an advisory committee to the Government. It represented the views of women's organizations and its reports were sent to government departments in order to raise current issues and, possibly, to review policies. The representative paid a tribute to the active role of women's organizations in the consultative process.

527. Highlighting recent achievements, the representative mentioned the increased number of women elected to Parliament in 1992 (60 had been elected, which was 9.2 per cent of the total), and the progress made in higher positions in the civil service, as well as a government initiative to increase the public appointments of women and members of ethnic minorities. With regard to employment issues, the representative said that women continued to play an ever-increasing role in the workplace; over 70 per cent of women of working age had been economically active in 1991. The wage differential between men and women had narrowed for five successive years and was currently 21 per cent. A new grant scheme to develop an additional 50,000 places for out-of-school child care would begin, and child care for pre-school children would expand further under the Children Act of 1989, so as to enable parents to return to work and have a wider choice of hours in which to work.

528. On women's status and participation, she noted that the aim was not only to get women to the top, but also to extend opportunities for women across a broad spectrum and help them to make progress, as well as to gain a first foothold at all levels of private, public and community life. The Government had recently made publications widely available to promote women in the workplace. Their topics included equal opportunities, flexible working practices, sexual harassment and positive action measures under the law.

529. On women's health, screening for breast and cervical cancer was accorded a high priority; the objective was to reduce the death rates by at least 25 per cent and 20 per cent, respectively, by the year 2000. On social security, the representative stated that the Government was committed to the equalization of the state pension age for men and women. In relation to occupational pension schemes, equalization was already in place. The Child Support Act of 1991 would have a substantial impact on single parents, 90 per cent of whom were women. The aim of the Act was to ensure that parents made fair and consistent financial provision for their children. The Child Support Agency, which would start its work in April 1993, would be responsible for implementing and enforcing the Act.

530. With regard to education the representative stated that, under the national curriculum, girls studied the same range of subjects as boys. Girls were gaining better examination results in nearly all subjects at the age of 16 than boys. She said that women were enrolling in further and higher education as much as men. It was asked whether girls were commended for their achievements. No direct answer was provided.

531. The representative concluded by saying that, although the United Kingdom still had a long way to go, the recent positive developments that had extended women's opportunities were appreciable.

General observations

532. The Committee thanked the representative for the up-to-date information as well as for the detailed and exhaustive answers to the questions raised by the Committee.

533. Noting that the second periodic report covered the dependent territories of the British Virgin Islands, the Falkland Islands (Malvinas) and the Turks and Caicos Islands, a member asked whether Anguilla and Montserrat had been excluded because of their constitutional status or because it was expected that they would submit their own reports. Furthermore, concerning the dependent territories, it was asked whether they had had a chance to participate in the

preparation of the second periodic report or to review it afterwards. One member questioned the assumption regarding sovereignty over the Falkland Islands (Malvinas) given the existence of a dispute concerning it.

534. A member asked whether women in Hong Kong were covered by the Convention, in view of the fact that China would resume authority over Hong Kong on 1 July 1997 and that both China and the United Kingdom had ratified the Convention. Another member informed the Committee of the proper procedures in the event of any intention to extend the Convention to Hong Kong during the transitional period before 30 June 1997 or thereafter.

535. The Committee expressed its appreciation for the fact that non-governmental organizations had been consulted both after the initial report had been presented, and before the second periodic report had been prepared, which provided a model for other States parties to follow.

Questions of a general nature

536. Concerning a question on the lower living standards of women in the United Kingdom, which was included in the statement received by the Committee from non-governmental women's organizations, the representative replied that most people lived in families and that their living standards were thus family living standards. She referred to the narrowing gap in earnings, to the lower unemployment rate of women and to the fact that most women worked part time by choice.

537. Asked about the effect of recently adopted laws and programmes and about areas in which progress had been achieved, the representative first referred to the developments that had provided significant role models encouraging women to aspire to leadership in all fields. She mentioned the first woman Speaker of the House of Commons, the first woman Director of Public Prosecutions, the first woman Director of the Security Services and the first British woman in space. She then turned to women's involvement in the workforce, which was increasing steadily. She noted that employers both in the public and the private sectors were introducing family-friendly policies, including flexible working patterns, to ensure that they would be able to attract and retain women workers. Moreover, the Children Act of 1989 provided a framework for local authorities to review and plan child-care provisions, enabling more women to work.

538. She then referred to the increasing role of women in public life. There had been an increase in the number of women appointed to tribunals, the bodies that heard complaints made under the Sex Discrimination Act and the Equal Pay Act. The Prime Minister had launched an employer-led campaign in October 1991 to increase the quality and quantity of women's participation in the workforce. A number of major employers were involved in setting goals for increasing opportunities for women and in monitoring and reporting on the progress made.

539. Concerning specific goals in the national plan of action, the representative stated that plans were made by organizations, including government departments. These plans set targets for women's participation, especially at the decision-making level, such as doubling the number of women in senior posts in the civil service by 2000 and increasing the amount of women in all public appointments to a level of 25-50 per cent by 1996. The progress in achieving the targets had been increasingly made public.

540. Asked about the Government's intentions to withdraw its reservations, which was a matter of priority, the representative announced that the United Kingdom would remove parts of its reservations to articles 11 and 13. With respect to article 11, the United Kingdom could withdraw the section concerning employment in underground work in mines. With respect to article 13, the section that referred to married men's tax allowances could be withdrawn. Other reservations might be amended in the light of changes to domestic legislation. She stressed that the remaining reservations either preserved greater rights for women or left scope for individual choice; however, all reservations were kept under review and there might be scope for their removal in the coming years.

541. The Committee expressed its satisfaction that parts of the State party's reservations were to be withdrawn. At the same time, it noted with grave concern that the remaining reservations, which were not only numerous but also substantially important, did not provide a good model for other States parties. It hoped that the improvements made in that respect would be included in the third periodic report. It asked whether the Government had made similar reservations to other human rights treaties that it had signed.

Questions related to specific articles

Article 2

542. Replying to the questions which social groups of women committed the most common crimes, such as theft, fraud and forgery, and whether there was a programme curbing such crimes, the representative regretted that no data were collected routinely on the social class of female offenders. The Government was required, under the Criminal Justice Act of 1991, to publish information annually about women, crime and criminal justice. Fraud and forgery constituted only 7 per cent, and theft 69 per cent, of women's offences. The programmes for all offenders included attendance centres, supervision or probation and community service orders.

543. Asked about the conditions under which women with infants were held in prisons, the representative noted that there were three mother-and-baby units, whose facilities were said to be of the highest standard. The Social Services Inspectorate had carried out inspections in 1990 and 1992 and its practical advice had contributed to the development of those units. The improved conditions included more spacious accommodation, with access to outside exercise and recreation areas. In another prison, the staff included nursery nurses, and a nutrition policy following professional advice had been adopted. New guidance had been issued and, for mothers whose children were not with them, all-day children's visiting hours and family open days were offered.

544. Regarding new legislation, and de facto changes since the submission of the initial report, the representative listed recent measures, which included independent taxation for husbands and wives, and clarification of the law that rape in marriage was an offence. Furthermore, the Church of England General Synod had voted to allow women to become priests, which, subject to approval by both Houses of Parliament, would become law; discrimination in occupational pensions had been made illegal; discrimination against women serving in the armed forces had been made illegal, and the anonymous complaints procedure had been expanded in cases of rape or sexual assault.

545. In an additional question, members requested information on the increase in the budget of the Equal Opportunities Commission, on its personnel and its main objectives. The representative announced that its budget had increased, also in

real terms, recently. Its personnel numbered approximately 160, located at Manchester. With regard to the objectives of the Commission, she referred to her presentation.

Article 3

546. Referring to general recommendation 18 (tenth session), 14/ members requested statistics on disabled women. Furthermore, they asked whether disabled women had equal opportunities in the labour market, in education and in public life. The representative said that legislation and all positive programmes were equally applicable to disabled women. In addition, there was a quota system, requiring employers of 20 or more persons to employ at least 3 per cent of registered disabled people. It was generally recognized that the quota scheme was not operating as intended as not all eligible employees registered as disabled. However, after a consultation exercise on the employment and training of disabled people in 1990, ministers had decided to retain the quota system for the time being.

547. Members asked whether the Government should rethink its position on the additional protocol on social policy to the Treaty on European Union (Treaty of Maastricht), since those social issues had a considerable impact on women's issues as well. Europe could be more effective in advancing all women in Europe if the European Community worked together. The representative answered that that was not appropriate as the issues surrounding the protocol on social policy to the Treaty of Maastricht went much farther than those related to women and concerned the principle of subsidiarity and institutional matters. The Government was, however, committed to the recently adopted European Directives, which helped women in such matters as maternity rights.

Article 4

548. The Committee said that temporary special measures under article 4 remained a live issue. Referring to an additional question about the possibility of introducing a so-called flexible or "soft" quota system for women, the representative said that in the United Kingdom the word "target" was used instead of the word "quota". It meant setting numerical targets to improve the representation of women, but the Government did not favour fixed quotas for women, which could lead to tokenism.

Article 5

549. When asked if the Government believed that the provisions of section 38 of the Sex Discrimination Act were effective in preventing advertising of a discriminatory nature, the representative said that both newspapers and job centres refused to accept discriminatory job advertisements and reported anyone doing so to the Equal Opportunities Commission. Asked about the number of cases that had been brought to court and the number that had been ruled as unlawful, the representative noted that, in 1991, the Commission had received 4,650 inquiries, including 191 complaints.

550. To the questions why there was so little media coverage on the problems of women, why women were not employed at senior positions in the broadcasting industry and why no training was arranged to enable women to occupy those positions, the representative replied that the responsibility for the content and scheduling of programmes rested with the broadcasters, who were independent of the Government. Under the Broadcasting Act of 1990, the independent

broadcasting regulatory bodies were charged to make conditions in granting broadcasting licences, requiring their holders to promote equal opportunity policies.

551. Regarding the incidence of violence against women, the implementation of the recommendations to deal with it and the prosecution level for offences of violence, the representative noted that more than half of all cases of assault against women involved domestic violence. She referred to local victim support services, to the Safer Cities programme and to the policies of all police forces to deal with cases of domestic violence. She mentioned that the civil law to provide remedies and safeguards for women was under review. Additionally, she mentioned the alleged disparity in the law's reaction to women and men who killed, which had recently received considerable publicity. There had been successful appeals on the basis of diminished responsibility as a consequence of domestic violence. The clarification of the law that rape in marriage was an offence was mentioned, as was the strengthened protection of the anonymity of rape victims.

552. In an additional question, praising the judicial clarification of rape in marriage, a member asked whether victims of rape increasingly asked for help and contacted the police. In her answer, the representative noted an increasing and encouraging trend of victims turning to the police. She said that many sympathetic counselling practices were used by the police to handle cases of violence. In addition, the number of women in the police force had been increased. Asked about rapists among boys under 14, the representative referred to the pending bill on kerb-crawling, which would have removed the presumption that boys could not commit rape.

553. Members asked whether the Government considered the current law adequate with regard to rape and pornography in the light of the continued pictures of women. In the reply, the legislation was said to be adequate; however, the continued exploitation of women in the media by means of sexually explicit pictures was a grave concern and needed to be remedied. One member, being a citizen of a country in which decisions of United Kingdom courts carried some weight, welcomed the ruling whereby rape in marriage was considered a crime. Reference was made to a study that had reviewed the relationship between pornography and crimes of violence and that had found the evidence of such a link to be inconclusive. The Government was committed to enforcing laws in a manner that excluded improper publications, controlled proper standards and upheld decency.

Article 6

554. In reply to the question why Parliament had not passed a bill that would have made kerb-crawling an offence, the representative said that the passage of the bill had been obstructed, but the Government was looking for a suitable opportunity to introduce such a measure. In answer to the question how many men had been convicted for accosting women on the street and what their sentences were, the representative cited the number 1,132.

555. Concerning the question of eliminating prostitution, the representative mentioned laws aimed at discouraging women from becoming prostitutes as well as at penalizing those who made financial gain from it. Recent figures showed that the number of women convicted for prostitution was still considerably higher than the number of persons convicted for brothel-keeping and procuration offences. The representative said that the prevention policies of the Government concentrated on the most vulnerable, including the very young.

556. In an additional question, clarification was requested concerning prostitution in the Falkland Islands (Malvinas) as the report was felt to be contradictory. The representative said that the information concerning the dependent territories was not immediately available and would be provided later.

Article 7

557. The representative explained the cause of the disproportionately low number of women at the managerial level by saying that it would take time for changes to be felt and that a fair appointments policy meant filling posts only with those with the appropriate ability and experience. The Committee's concern was that the increase in the proportion of women in the civil service was so slight that it could not be regarded as noticeable progress. The representative replied that a target of 15 per cent in the top three grades by the year 2000 had been set. The representative stressed the importance of the infrastructure - training possibilities, flexible working patterns and child-care facilities - in achieving sustained improvement. She added that traditional attitudes had not been eliminated entirely.

558. With regard to changes in the number of women members of Parliament, she noted that a record number of 60 women had been elected in the general election in 1992. Asked about female candidates and electors appearing on television, she replied that that was a matter for parties and broadcasting authorities. Regarding the position that the United Kingdom occupied within EEC in terms of the percentage ratio of women and men in Parliament, she said the United Kingdom ranked seventh among the 12 member States.

559. Replying to a question on women gaining access to public appointments and on relevant affirmative action plans, she referred to a new programme of action that had been launched by the Prime Minister. The legislation of the United Kingdom did not allow quotas and the emphasis was on ensuring fair procedures and open opportunities for qualified women. In reply to a question about the recruitment of women graduates in government service, she said that women were recruited at the professional and administrative levels.

560. Concerning equal opportunities for women in the police force and in the probation service, the representative acknowledged that the police service was still largely male, even though real improvements had been made. The proportion of women in the police force was 12.1 per cent in 1991 and the recruitment level of women was over 25 per cent of the total. In the chief officer ranks, the number of women had doubled in two years. The Equal Opportunities Commission was assisting the forces to develop policies and practices, and all forces had published equal opportunities policies. Development was linked to servicing the community representatively and, consequently, successfully. Furthermore, all probation services were required to have equal opportunities policies; 45 per cent of the probation officers were women.

561. Information was requested on cooperation between women's organizations and political parties, especially with a view to ensuring that women's interests were represented in politics. The representative replied that women's organizations were active in pressuring the political parties into including women in their activities. An additional question was asked about the distribution of the 60 women in Parliament among the political parties, as well as on any specific plans the parties might have to attract more women to participate. No information was provided immediately to the first question; as to the latter one, the representative said that she understood that they all had plans.

Article 9

562. Members asked about the new Immigration Act and its purposes and whether it represented progressive legislation that would improve the situation of women. The representative replied that the new legislation had been introduced to simplify and accelerate decision-making in view of the increasing volume of applications for asylum. Around 20 per cent of the applicants were female and were covered by equal opportunities legislation.

563. The members thought that the problem of migrant women had not been addressed adequately in the second periodic report and thought that the subject should be given more attention in the next one.

Article 10

564. When asked about elementary-school curricula and whether they took into account the equal rights of both sexes, the representative noted that the introduction of a national curriculum in schools ensured women equal access to all subjects. The national curriculum was also taken into account in independent schools. Whether children attended single-sex or coeducational schools was, according to the representative, a matter of parental choice.

565. Regarding the question whether sufficient information was provided in schools on family planning and on the prevention of AIDS, the representative said that the national curriculum included certain health issues, including aspects of sex education and the HIV virus.

566. When asked about the Government's response to the low percentage of women in higher education, the representative said that the proportion of women students had increased in most of the subjects studied and that there was now parity between the numbers of men and women entering higher education. Women accounted for 40 per cent of all postgraduate students in 1990, and for about three quarters of the increase in the numbers enrolling in further education courses between 1980-1990. Among the full-time academic staff at universities, the proportion of women was 21 per cent.

Article 11

567. Referring to a continuous rise in the proportion of women in the country's workforce, members asked whether the encouragement given by the Government reflected a radical policy change towards the role of women in society. The representative answered that Government policy did address changes in society and that employers were increasingly attracting and retaining female staff so as to achieve maximum economic efficiency. Women were also choosing self-employment to a greater extent. Improved and more affordable child care would further contribute to the number of women entering and advancing in the labour market.

568. Regarding the social consequences of converting military manufacturing facilities into civilian production facilities, the representative said that women were generally underrepresented in those industries, and that the decline in employment would therefore affect men more than women.

569. Answering a question on the effective implementation of the Equal Pay Act, the representative referred to a continuously narrowing pay gap between men and women. She noted that, during the period 1986-1991, almost 3,300 equal pay claims had been lodged, 80 per cent of which had been settled in favour of the

complainant. With regard to the work evaluation system, she noted that the law was complex - indeed the law needed to be complex - and that the procedures required reports from independent experts. It could take time to compare jobs properly on the basis of skill, effort and other criteria. Asked for information on the income of both sexes in various occupations, she said that figures for relative pay by broad occupation were only available on a comparable basis up to 1990. From 1984-1990, the pay of women in comparison to that of men had risen in the majority of occupations.

570. Commenting on the narrowing wage differential between men and women, members asked whether the Government intended to expand its legislation, as the principle of equal pay for equal work was so far implemented only at the same-employer level and not on the basis of a comparison with other employers or other industries, which was the actual source of the discrimination. The representative replied that a comparison was made not only between exactly equal work, but also between work of equal value for the same employer; however, because wage rates were negotiated with individual employers, a full comparison of wage rates across all job levels between different companies was not possible. The Committee stated that such a comparison would be desirable.

571. Concerning the reasons for women choosing part-time work, the representative replied that the burden of domestic responsibilities was only one of the reasons, although it was evident that women undertook a far greater share of household tasks. Only 22 per cent of couples shared tasks equally, but it was a matter to be discussed by couples themselves and not for government intervention. Women might choose part-time work in order to participate in other activities. With regard to the regulation of part-time work, she said that significant employment rights, including equal pay, legislation on sex and race discrimination, regulations on health and safety and the provision of time off for antenatal care were available to all employees.

572. An additional question was asked concerning working mothers, especially those working part time. The Committee wanted to obtain, possibly in the third periodic report, more information on the sharing of work and family responsibilities; why women tended to work part time; how many men worked part time; the amount of time that men and women devoted to household tasks and child care; and how the responsibility was shared of taking care of elderly and disabled adults who could not manage for themselves. The representative replied that opinion polls had revealed that, although men felt that household duties should be shared equally, in practice they were not shared. She said that if those duties were shared more equally women would have a fairer chance of working full time. She said that many family-friendly policies, introduced by the Government, had further increased the numbers of women working part time. The policies were not limited to the taking care of children but of other population groups as well. Moreover, the demands of the labour market had contributed to the part-time work phenomenon.

573. When asked whether the State provided allowances for periods of vocational retraining, the representative said that there were a number of schemes supporting such training. Government-funded training concentrated on school-leavers and the long-term unemployed. Special rules enabled those who had been out of the labour force for some years to join training schemes; 95 per cent of the returnees were women and they received allowances during the free training. Women might also qualify for means-tested mandatory grants and loans to attend full-time higher education courses with a vocational element.

574. In answer to the Committee's request for statistics on the women employed on an unremunerated basis in family businesses, the representative said that it was difficult to measure that phenomenon reliably. In the regular Labour Force Survey (1992), there were 126,000 female unpaid workers, representing about 70 per cent of all unpaid family workers. When asked if that work was included in the gross national product, she replied that the United Kingdom followed international conventions and definitions and recognized the difficulties of valuing unpaid work.

575. Concerning sexual harassment, members asked about government measures to protect women's dignity. The representative said that sexual harassment might constitute sexual discrimination under the Sex Discrimination Act. The Government had issued a booklet on the law, the steps to be taken to prevent harassment and the handling of complaints.

576. Asked what percentage of working mothers and of those wishing to work were able to use child-care facilities, the representative answered that no data had been collected in the form requested. Child care facilities were provided on the basis of need, in the interests of the welfare of the child. About 70 per cent of children under five years of age were affected by some form of child care. The Children Act should encourage expansion to meet local needs. Moreover, the number of private and voluntary day nurseries had been increasing fast. A clear majority of the women who were not working had a positive commitment to looking after their children at home.

577. Asked about exceptions to the principle of equal treatment in some social security matters, the representative said that legislation usually discriminated in favour of women and those measures were to be retained. In line with its EEC treaty obligations, the United Kingdom had implemented equality in relation to occupational pension schemes. In relation to the age of entitlement to a State pension, the Government was considering the matter.

578. In response to an additional question about hidden unemployment and the unrealistically low unemployment rate of women, the representative said that it was clear that some women who wanted to work did not register themselves as unemployed. The number was, however, very hard to calculate. With regard to whether allowances were too low for survival, she said that in addition to unemployment benefits, which were a pure income-replacement device, there were other income-related benefits, which were sufficient when they were combined.

579. Members asked whether the Equal Opportunities Commission had special provisions regarding immigrants, who were usually more vulnerable and had less access to the labour market than others. The representative from the Home Office stated that the Government was very much aware of the problem and of the cultural barriers those people faced. There were special programmes for immigrants, who often experienced double disadvantages. In addition to the Equal Opportunities Commission, there was the Commission for Racial Equality, which was responsible for enforcing the Race Relations Act and further promoting equal rights. In addition, activities at the local level, grants for training and education, English teaching, and urban programmes such as Safer Cities were directed to immigrants.

580. With regard to women's participation, members asked whether the Government intended to translate various affirmative action programmes into legislation. The representative replied that the results of programmes were being carefully monitored, and that much depended on the goodwill of employers and their ability to recognize the benefits of fully utilizing the talents of women. Cooperation

was the primary goal, and legislative measures were seen to be useful only if no positive results were otherwise achieved.

581. Asked whether discrimination against those who had HIV/AIDS was prohibited, the representative replied that the mandate of the Equal Opportunities Commission allowed it to pay attention only to discrimination based on sex, although the Government was very conscious of such serious impediments to entering the labour market.

Article 12

582. Asked about the social considerations in setting a 24-week limit in the new Abortion Act, the representative replied that the limit was medical and not social. A clinical judgement of two registered medical practitioners was required to terminate a pregnancy. Members asked about the reaction of women's organizations to health-care reform. The representative said that the reforms in the National Health Service had clarified each local authority's responsibility to provide appropriate health care for those within its jurisdiction. The reaction had been both favourable and less favourable. The Government had, moreover, adopted a strategy, consisting of five key areas for preventive action on improving the health of the country. No answer was provided to the question whether treatment institutions were maintained in the same way as formerly. Instead, information was given on family planning.

583. Concerning a question on the effects of HIV/AIDS on women and on the action taken, the representative said that, according to the latest figures from September 1992, there were 2,174 (12 per cent) reported cases of women with the HIV virus, as against 15,887 reported cases of men, and 579 (5 per cent) reported cases of women with AIDS, as against 9,940 reported cases of men. Although the proportion of women was lower, the situation was alarming as the rate of increase for women for both HIV and AIDS was higher than for men over the previous years. An amount of £200 million had been provided in 1992/93 for both preventive and treatment services. Preventive work included a booklet for those working with HIV/AIDS and research on drug-using prostitutes. A suggestion had been made that health authorities should offer antibody testing to all women receiving antenatal care. HIV/AIDS was one of the five priority areas for action in the health promotion programme of the Government.

Article 14

584. In answer to a question on the problem of unpaid labour in family businesses in rural areas, the representative stated that the proportion of paid women employees in agriculture had been increasing. Training for women in agriculture recognized the role of unpaid family members in the administrative and financial aspects of farm management. In Northern Ireland, a programme was being funded to assist women in developing rural businesses.

585. Concerning the findings of the research financed by the Rural Development Commission on women's employment in rural areas, the representative said that the study highlighted problems - low pay, lack of services, poor transportation and housing - and suggested innovative local solutions to them. Transportation had been deregulated and subsidies provided for services that were socially necessary. Training for work in rural areas was supported by the Commission with locally based Training and Enterprise Councils and community councils.

Article 16

586. Asked about Government measures to ensure that family responsibilities were carried out, considering the high number of single-parent families, the Committee was informed that 17 per cent of families with dependent children were single-parent families. The Child Support Act of 1991, and equivalent legislation in Northern Ireland, was intended to provide a consistent and fair approach to child maintenance through administrative procedures rather than the courts. The Act would provide an income to single parents.

587. Regarding the impact on children of the high incidence of free unions and separation, the representative said that consideration was being given to reforming the divorce law to require conciliation before granting divorce. The smooth transition of and assurance of continuity for responsibilities for children were the main purposes of conciliation, and it might also lead to reconciliation. In addition, the Government supported the work of marriage guidance councils.

588. The Committee pointed to the trend of family dissolution and wanted to know if it was a deliberate trend, if there had been any surveys about it and what was the position of the Government. In her reply, the representative said that there seemed to be a trend towards an increase in the number of single-person households and that it reflected a person's free choice. Additional information on that matter could be provided in the next periodic report if the Committee so requested.

Concluding observations

589. The Committee remarked that, irrespective of the development status of a country, women seemed to encounter obstacles to the full enjoyment of their rights. Members stated that women in developed countries faced new types of problems, related to entry to the labour market, professional skills, part-time work and violence, which was a most serious concern. Therefore, although a great deal had been accomplished in the United Kingdom, there was still room for improvement.

IV. CONTRIBUTIONS OF THE COMMITTEE TO INTERNATIONAL CONFERENCES

590. The Committee considered the question of its contributions to international conferences (agenda item 9) at its 211th, 213th and 214th meetings, on 19, 20 and 21 January.

A. International Year of the Family

591. The Director of the Social Development Division, who was also the Coordinator for the International Year of the Family, described the activities being carried out in preparation for the Year (1994), had been proclaimed by the General Assembly in its resolution 44/82. The main problem was to find the resources to finance those activities. With regard to national-level preparations, some 90 countries had contributed information on their national coordination efforts. At the regional level, he said that there were plans to hold four preparatory meetings; namely, at Tunis (29 March-2 April 1993) for Arab and African States; at Valletta (26-30 April 1993) for European and North American States; in Beijing (24-28 May 1993) for the region covering Asia and the Pacific; and at Cartagena (9-14 August 1993) for the Latin American and Caribbean region. There would also be a world non-governmental organization forum at Valletta from 28 November tc 2 December 1993.

592. He indicated that, especially at the start of the preparatory process, concern had been expressed about the Year, including whether it would reinforce traditional distinctions in sex roles; whether it might lead to a single normative model for the family; and whether there would be more emphasis on the rights of families than on their responsibilities. He added that the Committee could contribute a great deal to the Year by making a general recommendation to the States parties concerning the Year. He believed that such a general recommendation would be proper and effective, especially if States parties were asked to include in their reports how they had incorporated the objectives and principles of the Year in their implementation of the Convention. He stated that, in relation to articles 9, 15 and 16 of the Convention, the secretariat for the Year was ready to publicize the work of the Committee, either by supporting a small meeting of experts or by preparing a publication.

593. The Committee noted with appreciation the level and quality of the preparations for the Year. In the ensuing discussion, concern was expressed that, in many societies, the family was facing pressure on account of economic and social problems, including drugs and crime. It was noted that, in some countries, focus was placed on the elimination of discrimination within the family between boys and girls and on the role of women in educating the children. Violence in the family was a priority issue, as well as the role of the State in protecting abused children.

594. On the recommendation of working group I, the Committee decided that its contribution to the International Year of the Family would be a general recommendation on article 16 and related articles 9 and 15, as agreed at the eleventh session. 16/

B. Fourth World Conference on Women

595. The representative of the Secretary-General informed the Committee of the work of the Commission on the Status of Women and its contribution to the Fourth World Conference on Women: Action for Equality, Development and Peace, to be

held in Beijing from 4 to 15 September 1995. He stated that, at its thirty-sixth session, the Commission had already defined the organizational elements of the Conference, and had decided that the members of the Committee would be invited to attend the Conference. He also mentioned the preparation of the compendium on the implementation of the Convention, a document first prepared for the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, held at Nairobi from 15 to 26 July 1985, which would analyse the history of women's rights since the founding of the United Nations as well as specific articles of the Convention. 17/ He said that the draft would be prepared by the Secretariat and could be available for comments by the Committee in 1995. The Committee requested the Secretariat to provide it, for its review at its thirteenth session, with an outline of the draft of the updated compendium on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women; it further requested that the draft compendium should be submitted to it at its fourteenth session, so that its comments could be included in the final version.

C. International Conference on Population and Development

596. A member of the Secretariat informed the Committee about preparations for the International Conference on Population and Development, to be held at Cairo from 5 to 13 September 1994. He stressed that it had been the trend in the last two years to pay considerable attention to women's issues. He described the objectives of the Conference and also the efforts of the six expert group meetings to be held prior to the Conference. In addition, he informed the Committee that papers would emerge from each regional meeting, stressing women's dimensions as well as gender dimensions, to enable the Conference to deal with issues related to health, environment, demography, economic development, family planning, migration and poverty that had been overlooked in the past.

597. On the recommendation of Working Group I, the Committee decided to prepare a special recommendation at its thirteenth session as a contribution to the International Conference on Population and Development and that the Secretariat should provide members of the Committee with information about the preparations for that Conference, if possible in advance.

D. World Conference on Human Rights

598. The Committee considered its contribution to the World Conference on Human Rights, to be held at Vienna from 14 to 25 June 1993, and, at its 230th meeting, on 4 February 1993, adopted a suggestion concerning the Conference (suggestion 4). For the text, see chapter I, section A.

E. World Summit for Social Development

599. On the recommendation of Working Group I, the Committee decided to request the Secretariat to provide it, at its thirteenth session, with information on preparations for the World Summit for Social Development, which the General Assembly had decided to convene in 1995 (resolution 47/92) and to consider preparing an appropriate contribution to the Summit at its thirteenth session, in 1994, or its fourteenth session, in 1995.

V. CONSIDERATION OF THE REPORT OF THE FOURTH MEETING OF PERSONS CHAIRING THE HUMAN RIGHTS TREATY BODIES AND ACTION TAKEN BY THE GENERAL ASSEMBLY CONCERNING TREATY BODIES

600. At its 211th meeting, on 19 January, the Committee considered the report of the fourth meeting of persons chairing the human rights treaty bodies convened pursuant to General Assembly resolution 46/111 of 17 December 1991 (A/47/628) and the action taken by the General Assembly in its resolution 47/111 (agenda item 8).

601. The Chairperson of the tenth and eleventh sessions, Mervat Tallawy, who had represented the Committee at the fourth meeting, and who had been elected to chair that meeting, said that two important items had been discussed, namely, a review of recent developments relating to the work of the treaty bodies and the follow-up to the conclusions and recommendations adopted at the third meeting. Matters requiring special consideration included the general situation of overdue reports; the identification of possible technical assistance projects; the question of reservations to human rights instruments; the comments and recommendations forwarded to the Preparatory Committee for the World Conference on Human Rights; and developments relating to the Centre for Human Rights, including support for the work of the treaty bodies. She described the conclusions and recommendations that had been included in the report transmitted to the General Assembly, including those related to moving the organizational location of servicing for the Committee on the Elimination of Discrimination against Women to the Centre for Human Rights.

602. Responding to a question, Ms. Tallawy stated that the provisional agenda for the World Conference on Human Rights, adopted by the General Assembly in its resolution 47/122, covered the human rights of both men and women. In the ensuing discussion, a member suggested that the extensive work undertaken by the Committee, particularly relating to violence against women, should be incorporated into the Committee's recommendation to be submitted to the Conference.

603. With regard to reservations to the Convention, one member noted that other treaty bodies also had the same problem concerning the number of reservations but she was concerned about the large number of reservations that had been made to the Convention on the Elimination of All Forms of Discrimination against Women. She wanted to know whether the Committee could take the matter of reservations to the Convention to the International Court of Justice. In reply, Ms. Tallawy noted that the matter of the reservations would have to be taken to the Court through the General Assembly. However, she observed that it would be unwise to take the matter to the Court separately and the Assembly would be more likely to refer it to the Court if the question of reservations had been raised by all the human rights treaty bodies jointly.

604. After examining the report of the fourth meeting of persons chairing human rights treaty bodies, the Committee considered a recommendation made at that meeting. After some discussion, and bearing in mind the lack of communication between the various treaty bodies, the Committee decided, at its 230th meeting, on 4 February, that immediately following each session a summary of that session should be prepared by the Chairperson of the Committee. That summary should be sent to the persons chairing other treaty bodies. General recommendations and suggestions adopted by the Committee should be annexed to the summary.

605. In addition, the report on each session should be sent, as soon as possible, to the persons chairing other treaty bodies, for their information.

VI. WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

606. The Committee considered ways and means of expediting its work (agenda item 7) at its 210th and 211th meetings, on 19 January.

607. A representative of the Centre for Human Rights informed the Committee that the Centre serviced six out of seven major human rights treaty and monitoring bodies, namely, the Committee on the Elimination of Racial Discrimination, which was responsible for monitoring the International Convention on the Elimination of All Forms of Racial Discrimination (General Assembly resolution 2106 A (XX), annex); the Committee on Economic, Social and Cultural Rights, which was responsible for monitoring the International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI), annex); the Human Rights Committee, which was responsible for monitoring the International Covenant on Civil and Political Rights (resolution 2200 A (XXI), annex); the so-called Group of Three, which was responsible for monitoring the International Convention on the Suppression and Punishment of the Crime of Apartheid (resolution 3068 (XXVIII), annex); the Committee against Torture, which was responsible for monitoring the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (resolution 39/46, annex) and the Committee on the Rights of the Child, which was responsible for monitoring the Convention on the Rights of the Child (resolution 44/25, annex).

608. Although the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (General Assembly resolution 45/158, annex) had been adopted, no committee had yet been established to monitor its implementation.

609. She informed the Committee that those conventions had been ratified by between 70 and 132 States parties. With the increase in the number of States parties, the work of the treaty bodies and the Secretariat had increased.

610. The number of members of the monitoring bodies of those treaties ranged from 10 to 18. The Committee on Economic, Social and Cultural Rights and the Human Rights Committee had more members while the Committee against Torture and the Committee on the Rights of the Child had fewer members.

611. With regard to the mandates of the treaty bodies, she explained that the major principle was the periodic examination of States parties' reports. However, the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee against Torture had an additional mandate in that it was possible for individuals to make complaints, if States parties had acceded to an optional protocol or had made a declaration under a specific article of the convention concerned. In the case of the International Covenant on Civil and Political Rights, for example, 67 of the 115 ratifying States had accepted that procedure. In the Committee on Economic, Social and Cultural Rights, where the individual complaints procedure did not exist, consideration had been given to formulating an optional protocol on some of the rights under the Covenant. The Group of Three met every two years as a body designated by the Chairman of the Commission on Human Rights from among States that were at the same time both members of that Commission and parties to the International Convention on the Suppression and Punishment of the Crime of Apartheid.

612. The Committee against Torture was empowered to send one or more of its members to countries where incidences of torture were alleged to be taking place to investigate and report back to that Committee.

613. She informed the Committee that one proposal, made by the Centre for Human Rights, for making the work of the reporting States easier was to establish consolidated guidelines for the initial part of periodic reports. In that way, a reporting State would be required to submit general information on its land and people and its constitutional and legislative provisions in regard to the subject in question only once. That would constitute the so-called core document, which would be circulated whenever the country submitted a specific report so that the information would not have to be repeated each time.

614. With regard to the problem of the non-compliance of States parties with their reporting obligations, she said that various solutions were being considered. One procedure was for the Secretary-General to send a formal reminder to the State party concerned, inviting it to submit a report; another procedure was to designate one or more members of the Committee to contact the permanent representative of the State party concerned in order to find out the reasons for the delay. The practice of the Committee on Economic, Social and Cultural Rights was to mention the defaulting States at the beginning of its reports, so that their names would be known in the Economic and Social Council.

615. With regard to information from non-governmental organizations, a number of treaty bodies had initially hesitated to include material from those organizations in their reports, but the present trend was to solicit their input and the fourth meeting of persons chairing the human rights treaty bodies had found that the information from non-governmental organizations was very useful.

616. The Chairperson said that the information provided on the procedures of other treaty bodies would be very useful for the Committee on the Elimination of Discrimination against Women, particularly in terms of the importance attached to information provided by non-governmental organizations. She asked whether other treaty bodies were able to inform Governments officially that they had received such information on specific matters. The representative of the Centre for Human Rights said that the information from non-governmental organizations was usually received in written form.

617. Another member observed that certain countries had made reservations when ratifying the Convention on the Elimination of All Forms of Discrimination against Women but had ratified the Covenant on Civil and Political Rights without any reservations. She asked how the Human Rights Committee dealt with that situation and whether the Secretariat brought the matter to the attention of its members. In reply to the question on reservations, the representative of the Centre for Human Rights said that the Human Rights Committee usually restricted its questioning to reservations to the Covenant on Civil and Political Rights. It asked searching questions about the reasons for the reservations and their exact content and whether the State party intended to withdraw them at a later stage. She explained that nearly all the treaty bodies prepared lists of questions to which the representatives of States parties replied.

618. In response to a question on the role of women in other human rights treaty bodies, the representative of the Centre for Human Rights informed the Committee that women were not highly represented. However, 3 of the 18 members of the Human Rights Committee, 6 of the 18 members of the Committee on Economic, Social and Cultural Rights and 4 of the 10 members of the Committee on the Rights of the Child were women.

619. In expressing her wish for the improvement of the Committee on the Elimination of Discrimination against Women, one member wanted it to be placed

on record that she understood that the United Nations was facing financial constraints and, at the same time, wished to know what languages the other committees were using. She stressed that the Committee on the Elimination of Discrimination against Women was treated differently from other committees. Furthermore, she was concerned because the Committee on the Rights of the Child held two sessions a year, each of two weeks' duration, whereas the Committee on the Elimination of Discrimination against Women met only once a year, usually for two weeks, with the exception of the present and the following sessions.

Action taken by the Committee on the report of Working Group I

620. At its 229th and 230th meetings, on 4 February, the Committee considered the report of Working Group I.

1. Matters relating to the organization of the thirteenth session and subsequent sessions of the Committee

Date and duration of the thirteenth session

621. Bearing in mind that the General Assembly, in its resolution 47/94, supported the Committee's request for additional meeting time and requested that the Committee's twelfth and thirteenth sessions should be of three weeks' duration, the Committee decided, on the recommendation of the Working Group, to hold its thirteenth session in New York from 17 January to 4 February 1994, preceded by one week of meetings of a pre-session working group.

622. In view of the continuing backlog in the consideration of reports, the Committee requested that its fourteenth and fifteenth sessions should also be of three weeks' duration, preceded by one week of meetings of a pre-session working group. As the General Assembly had supported the request of the Committee for additional meeting time, the Secretariat explained that the renewed request for a session of three weeks' duration would have no extra programme budget implications.

Pre-session working group

623. After consultations among experts belonging to the regional groups concerned, the Committee decided that the pre-session working group for the thirteenth session should consist of the following members and alternates:

Member	Alternate
Carlota Bustelo García del Real (Spain)	Pirkko Anneli Mäkinen (Finland)
Norma Monica Forde (Barbados)	Dora Bravo Nuñez de Ramsey (Ecuador)
Salma Khan (Bangladesh)	Lin Shangzhen (China)
Tatiana Nikolaeva (Russian Federation)	Zagorka Ilic (Yugoslavia)
Ahoua Ouedraogo (Burkina Faso)	Emna Aouij (Tunisia)

Reports to be considered at the thirteenth session

624. The Committee decided to consider at its thirteenth session a total of six initial reports, six second periodic reports and two third periodic reports, based on the criteria of order of receipt, geographical representation at a given session, and interest expressed by Governments. The reserve list of countries that were to present reports, in the event that any of those selected decided not to present their reports, should consist of all other States parties whose reports were pending, in order of their receipt. Countries on the reserve list should also be notified by the Secretariat immediately after the completion of the twelfth session of the possible request that they present their reports at the thirteenth session, indicating their order on the reserve list. Although the Secretariat had received the report of Australia earlier, one member considered that the report of New Zealand ought to be selected for consideration at the thirteenth session because of the particular impact the consideration would have in that country in view of the celebration of a national event dealing with women.

625. Accordingly, the following list of States parties whose initial, second or third periodic reports were selected for consideration was drawn up:

Initial report	Second periodic report	Third periodic report
Guatemala	Barbados	Ecuador*
Guyana	Colombia	Norway
Libyan Arab Jamahiriya	Ecuador*	
Madagascar	Japan	
Netherlands	New Zealand	
Zambia	Senegal	

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* The initial and second periodic reports of Ecuador would be considered together.

626. The following list of States parties whose initial, second or third periodic reports were selected for inclusion in the reserve list was drawn up:

Initial report	Second periodic report	Third periodic report
Bolivia	Argentina	Canada
Chile	Australia	Hungary
Mauritius	Cuba	Philippines
Paraguay	Peru	Ukraine
Saint Vincent and the Grenadines		
Uganda		

2. Ways and means of improving the effectiveness of the Committee in considering reports of States parties

627. The Committee adopted the decisions set out below in order to improve the efficiency of its work within available resources and the provisions of the Convention.

Procedures for ensuring that States parties present their reports

628. It was decided to set 1 September of the year preceding the session as a formal deadline by which date a State party that had been selected by the Committee to present its report should give its agreement in writing, preferably by fax. Any additional written information to be given to the Committee should also be provided by 1 September. If no written confirmation had been received by 1 September, it was to be assumed that the State party did not wish to present its report at the following session and a State party on the reserve list, in order of receipt of reports, should then be requested to present its report instead. The State party on the reserve list should be requested to provide its agreement in writing by 15 September, also by fax.

629. Letters inviting States parties to present their reports and indicating the deadlines should be issued by the Secretariat immediately after the Committee's session. Letters to States parties on the reserve list should also be issued immediately after the session and should indicate the procedures to be followed and the State's position on the reserve list.

Substitution of outdated reports

630. The Committee decided that States parties should be offered the opportunity of providing a revised or new report for the report(s) already submitted, if the national situation had changed sufficiently to warrant the substitution. In that case, members would review only the revised or new report and would disregard the report(s) thus qualified by the State party as being outdated. Considering that, at the twelfth session, reports had reached the Secretariat at a very late date, it was decided that the deadline of 1 September would apply to the receipt of any new material, and that any new information received after that date would not be processed.

Improving the circulation of relevant material

631. In view of the general six-week rule governing the distribution of pre-session documents for any United Nations meeting, by which time all documents had to be ready for issuance to all the participants, it was decided that all pre-session documentation for a session should reach the members no later than four weeks before the date that the session was due to begin. It was also decided that the Secretariat should take steps to ensure that core reports and other human rights documents of general interest were sent to the members directly by the Centre for Human Rights, as soon as they had been issued.

Secretariat report on ways and means of improving the effectiveness of the Committee in considering the reports of States parties

632. The Committee decided that the Secretariat should prepare every year, as a pre-session document, a report on ways and means of improving the work of the Committee, containing all the information that the Secretariat believed was necessary for the consideration of the item, arising from the Secretariat's experience from the previous year, the comments made by members to the Secretariat, or developments elsewhere in the human rights regime. It should also contain a list of States parties whose reports could be considered at the subsequent session according to geographical representation and order of receipt.

Review of the rules of procedure

633. Taking into account the fact that the Committee's rules of procedure had been drafted in 1981, that over the years its workload had increased and certain working methods had been adopted to expedite its work, the Committee decided to review its rules of procedure.

VII. IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION

634. The Committee considered the implementation of article 21 of the Convention (agenda item 6) at its 210th and 213th meetings, on 19 and 20 January.

635. In order to improve and facilitate its preparation of general recommendations based on the consideration of reports submitted by States parties under article 18 of the Convention, the Committee had agreed at its eleventh session that it would prepare draft general comments on individual articles of the Convention for consideration at its twelfth session. 18/ The Secretariat had been asked to prepare and coordinate additional material on articles of the Convention, including material from other United Nations bodies and non-governmental organizations, and to submit it to members of the Committee early enough to be considered by them in drafting general comments.

636. The Secretary of the Committee introduced the background report of the Secretariat for the Committee's analysis of article 16 and other articles of the Convention related to the family (CEDAW/C/1993/4 and Corr.1), and noted that article 16 was closely related to articles 2, 3, 5, 9, 12, 13 and 15 of the Convention. The report reviewed compliance with articles 9, 15 and 16 of the Convention on the basis of information received from 62 States parties. The report concentrated on the constitutional, legislative and administrative provisions and other measures in force, restrictions or limitations by law or practice on the enjoyment of equal rights and the developments that had taken place since the first reports had been prepared. It took into account the standards set in international instruments and the recommendations contained in the Nairobi Forward-looking Strategies for the Advancement of Women 19/ in so far as they could help the Committee to comment on specific rights. She noted that some problems reported by Governments and reflected in the report might have been overcome in the intervening period. She observed that (a) States parties had not always been consistent in their use of terminology, especially in clarifying what they meant by equality; (b) reporting by States parties had been uneven, possibly owing to different cultural development and priorities; and (c) specific indicators on which all Governments should report might make it possible to obtain more comparable information. One member of the Committee suggested that the Secretariat should determine from all the important variables those specific indicators that were the most important for States parties to consider in their reporting.

Action taken by the Committee on the report of Working Group II

637. At its 230th meeting, on 4 February, the Committee considered the item on the basis of the report of Working Group II.

1. Preparation of draft general comments and a draft general recommendation on articles 9, 15 and 16 of the Convention

638. With regard to the preparation of the draft general comments and draft general recommendation on articles 9, 15 and 16 of the Convention, the Working Group had before it the report of the Secretariat (CEDAW/C/1993/4 and Corr.1); a note by the Secretary-General on declarations, reservations, objections and notifications of withdrawal of reservations relating to the Convention (CEDAW/SP/1992/2); a report of the Secretary-General on the state of preparations for the International Year of the Family (E/CN.5/1993/3); the

Committee's general recommendation 19 (eleventh session) on violence against women; comments on article 9 prepared by Ms. Aouij and comments on article 16 prepared by Ms. Forde and Ms. Quintos-Deles; general comment 19 (39) of the Human Rights Committee relating to article 23 (the family) of the International Covenant on Civil and Political Rights; 20/ a compilation of general comments and general recommendations adopted by human rights treaty bodies (HRI/GEN/1); recommendations on family planning of the Expert Group Meeting on Family Planning, Health and Family Well-being, prepared for submission to the Preparatory Committee for the International Conference on Population and Development (see E/CONF.84/PC/7, sect. II); issues and recommendations for implementation relating to human rights in the family, submitted by the International Women's Rights Action Watch; and a document submitted by the Women in the Law Project of the International Human Rights Law Group.

639. The draft general recommendation on articles 9, 15 and 16 that was prepared had been coordinated and revised by Silvia Rose Cartwright, the Rapporteur of Working Group II, on the basis of the Group's discussions.

640. After some discussion in plenary meeting, the Committee adopted the substance of the draft general recommendation, with the agreement that three additions would be included in the final edited draft. Those additions referred to the unequal power held by men and women within the family; the impact of the non-recognition of women's unpaid work at home; and the status of a minority of infertile women, who, in many African countries, had no inheritance rights after the death of their husbands. The Committee asked the members concerned to send the additions to the Secretariat without delay. The three parts to be incorporated should be put in brackets. It was also agreed that the draft general recommendation would be included in the provisional agenda for the thirteenth session of the Committee for its final approval without further discussion.

641. One member sought clarification with regard to the concept of the family, as the draft general recommendation referred to various forms of the family. The Rapporteur of Working Group II explained that, in view of the International Year of the Family, 1994, the group had wanted to ensure that the concept of the family would not be limited to the traditional model of husband and wife with children. Neither should it constrain the rights of women in whatever form of family they lived.

642. The Committee agreed that the Secretariat could make the draft general recommendation available for the information of the Commission on the Status of Women, at its thirty-seventh session, and, if possible, for the information of the Commission for Social Development, at its thirty-third session, on the understanding that it was a draft and that it would be accompanied by an indication of the three points still to be incorporated.

2. Preparation of draft general comments and draft general recommendations on other articles of the Convention

643. The Committee had decided at its tenth session that it should prepare comments on particular articles of the Convention, which would assist in the formulation of the Committee's recommendations relating to those articles. 21/

644. At the eleventh session, members of the Committee had volunteered to prepare draft general comments on specific articles of the Convention for the consideration of the Committee at its twelfth session. 22/ The Working Group

recommended that that work should be continued and accordingly invited the new members of the Committee to join in that effort.

645. Members of the Committee volunteered to prepare general comments and recommendations as follows:

Ms. García-Prince and Ms. Ukeje (article 2)

Ms. Schöpp-Schilling and Ms. Ukeje (article 4)

Ms. Aouij and Ms. García-Prince (article 5)

Ms. Aouij and Ms. Bustelo García del Real (article 6)

Ms. Bravo Nuñez de Ramsey, Ms. Corti, Ms. García-Prince,
Ms. Gurdulich de Correa and Ms. Khan (article 7)

Ms. García-Prince (article 8)

Ms. Abaka, Ms. Bustelo García del Real and Ms. Nikolaeva (article 11)

Ms. Abaka (article 12)

646. For the thirteenth session of the Committee, Ms. García-Prince would be the Coordinator for the preparation of draft general comments and a draft general recommendation on articles 7 and 8 of the Convention. The Committee agreed further to begin with the preparation of a general recommendation on article 4 for which Ms. Schöpp-Schilling would be the Coordinator. The draft general comments and draft general recommendations should reach the Secretariat by 1 September 1993 so that they could be translated and circulated to the other members of the Committee well in advance of the thirteenth session of the Committee.

647. The Committee agreed further to the Working Group's proposal that an analysis be made of article 2 of the Convention, and the reservations that had been made to it, for the consideration of the Committee at its fourteenth session, in 1995.

3. Response to resolution 1992/3 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

648. The action taken by the Committee in response to resolution 1992/3 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, by which the Secretary-General was requested to seek the views of the Committee on the Elimination of Discrimination against Women and the Commission on the Status of Women on the desirability of obtaining an advisory opinion on the validity and legal effect of reservations to the Convention on the Elimination of All Forms of Discrimination against Women, is reported in chapter I, section C, of the present report.

VIII. PROVISIONAL AGENDA FOR THE THIRTEENTH SESSION OF THE COMMITTEE

649. Some discussion was held on the need for the Chairperson to brief the Committee on activities and events that had a bearing on the Committee's work. In particular, members asked to be informed about the results of investigations of alleged human rights violations in the territory of the former Yugoslavia, especially violations of human rights referring to women.

650. At its 239th meeting, on 4 February, the Committee adopted the following provisional agenda for its thirteenth session:

1. Adoption of the agenda and organization of work.

2. Background report of the Chairperson on the activities undertaken during the year.

3. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

   Documentation

   Reports of States parties to be considered at the thirteenth session

4. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.

   Documentation

   Background report of the Secretariat on the analysis of articles 7 and 8

   Report of the Secretariat on the implications for the work of the Committee of the priority themes of the Commission on the Status of Women

5. Ways and means of expediting the work of the Committee on the Elimination of Discrimination against Women.

   Documentation

   Report of the Secretariat on ways and means of expediting the work of the Committee on the Elimination of Discrimination against Women

6. Contributions of the Committee on the Elimination of Discrimination against Women to international conferences.

   Documentation

   Report of the Secretariat on the outline of the updated compendium on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women

7. Provisional agenda for the fourteenth session.

8. Adoption of the report of the Committee on the Elimination of Discrimination against Women on its thirteenth session.

IX. ADOPTION OF THE REPORT

651. At its 232nd meeting, on 5 February 1993, the Committee adopted the report on its twelfth session (CEDAW/C/1993/L.1 and Add.1-14), as orally amended.

Notes

1/ General Assembly resolution 217 A (III).

2/ General Assembly resolution 2200 A (XXI), annex.

3/ General Assembly resolution 39/46, annex.

4/ General Assembly resolution 2106 A (XX), annex.

5/ General Assembly resolution 44/25, annex.

6/ General Assembly resolution 34/180, annex.

7/ Final Act of the International Conference on Human Rights, Tehran, 22 April to 13 May 1968 (United Nations publication, Sales No. E.68.XIV.2), chap. II.

8/ See Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38 (A/47/38), chap. I.

9/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2A (E/1992/22/Add.1/Rev.1), chap. II.

10/ See E/CN.4/1993/2, chap. II, sect. A.

11/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38 and corrigendum (A/45/38 and Corr.1), paras. 28-31.

12/ At its tenth session, the Committee had decided that, if States parties whose reports were overdue by the conclusion of that session so wished, they could submit a combined report to the Committee and that such reports should be numbered by the Secretariat in a way that facilitated their identification (Official Records of the General Assembly, Forty-sixth Session, Supplement No. 38 (A/46/38), para. 370).

13/ See Official Records of the General Assembly, Forty-third Session, Supplement No. 38 (A/43/38), chap. V.

14/ Ibid., Forty-sixth Session, Supplement No. 38 (A/46/38), chap. I.

15/ Population Crisis Committee, Population Briefing Paper No. 20, June 1988.

16/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38 (A/47/38), para. 462.

17/ The first compendium (A/CONF.116/13) was prepared by the Secretariat as the report of the Committee on the achievements of and obstacles encountered by States parties in the implementation of the Convention submitted to the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women (Nairobi, 1985).

18/ See Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38 (A/47/38), para. 456.

19/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

20/ See Official Records of the General Assembly, Forty-fifth Session, Supplement No. 40 (A/45/40), vol. I, annex VI.B.

21/ Ibid., Forty-sixth Session, Supplement No. 38 (A/46/38), para. 380.

22/ Ibid., Forty-seventh Session, Supplement No. 38 (A/47/38), para. 458.

Annex I

LETTER DATED 22 JANUARY 1993 FROM THE CHAIRPERSON OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN TO THE SPECIAL RAPPORTEUR OF THE COMMISSION ON HUMAN RIGHTS ON THE SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA

The Committee on the Elimination of Discrimination against Women, at its twelfth session (214th meeting), expressed its deep concern about the situation of women in former Yugoslavia, namely in Bosnia and Herzegovina.

The Committee was established for the purpose of monitoring, *inter alia*, respect for the human rights of women. It has noted with regret the prevalence of mass violence against women and the violation of their fundamental human rights in different parts of the world, especially during civil strife and armed conflict.

The Committee emphasized that rape and other attacks on women's physical and mental integrity and security of person violate international human rights guarantees, including the norms stated in the Convention on the Elimination of All Forms of Discrimination against Women. In its general recommendation 19, on violence against women, the Committee stated that violence against women is a form of discrimination prohibited by the Convention and that such violence breaches the duty to ensure equal protection according to humanitarian norms in time of international or internal armed conflict.

Rape, other violent acts or attacks on women's dignity constitute grave breaches of the Fourth Geneva Convention and of customary humanitarian law. Measures taken to bring to justice those responsible for grave breaches of humanitarian law must therefore include prosecution of rape, other violent acts or attacks on the dignity of women.

Various sources of information on the human rights situation in the former Yugoslavia suggest that abuses have been targeted particularly against women, as a means of furthering political objectives in the conflict. Reports indicate that women, regardless of their religious or ethnic origin, have been subjected to systematic rapes, resulting in some instances in death, and to forced pregnancies.

Therefore, the Committee has decided to invite you, in your capacity as Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia, to investigate all allegations concerning sexual and other violations, as well as measures to bring to justice those responsible for these abuses.

The Committee would appreciate being informed of your findings.

On behalf of the Committee, I should like to thank you for your esteemed cooperation.

(*Signed*) Ivanka CORTI
Chairperson
Committee on the Elimination of
Discrimination against Women

Annex II

LETTER DATED 1 FEBRUARY 1993 FROM THE SPECIAL RAPPORTEUR OF THE COMMISSION ON HUMAN RIGHTS ON THE SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA TO THE CHAIRPERSON OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

I should like to thank you for your letter of 22 January 1993 in which you expressed the deep concern of the Committee on the Elimination of Discrimination against Women about the situation of women in former Yugoslavia.

I wish to assure you that I share the Committee's preoccupation over the reported occurrence of massive rape and other attacks on the physical and mental integrity of women in the conflict prevailing in part of the territory of the former Yugoslavia, in particular Bosnia and Herzegovina.

Since it was very difficult to obtain credible and sufficiently concrete information, I have dispatched on 12 January 1993 to the area, a special mission, composed of four medical experts and accompanied by experienced female staff from the Centre for Human Rights as well as the Director of the Division for the Advancement of Women, to investigate allegations into rape and other abuses of women. On the basis of the data collected and analysed by the medical experts, there is strong evidence that rape has been committed on a large scale during this conflict. The crime of rape has been committed by combatants on all sides of the conflict in the former Yugoslavia. Solid evidence was found that Croatian, Muslim and Serbian women have been detained for extended periods of time and repeatedly raped. However, the majority of the rapes documented have been committed against Muslim women of Bosnia and Herzegovina. In Bosnia and Herzegovina, rape has been used as an instrument of ethnic cleansing.

I shall include the findings of the experts in more detail in my own report to the Commission on Human Rights at its forty-ninth session, which has started today. I shall not fail to make available to the Committee on the Elimination of Discrimination against Women a copy of my report.

(Signed) Tadeusz MAZOWIECKI
Special Rapporteur
Commission on Human Rights

Annex III

STATES PARTIES TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN AS AT 1 MARCH 1993

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Angola	17 September 1986 a/	17 October 1986
Antigua and Barbuda	1 August 1989 a/	31 August 1989
Argentina	15 July 1985 b/	14 August 1985
Australia	28 July 1983 b/	27 August 1983
Austria	31 March 1982 b/	30 April 1982
Bangladesh	6 November 1984 a/ b/	6 December 1984
Barbados	16 October 1980	3 September 1981
Belarus	4 February 1981 c/	3 September 1981
Belgium	10 July 1985 b/	9 August 1985
Belize	16 May 1990	15 June 1990
Benin	12 March 1992	11 April 1992
Bhutan	31 August 1981	30 September 1981
Bolivia	8 June 1990	8 July 1990
Brazil	1 February 1984 b/	2 March 1984
Bulgaria	8 February 1982 b/	10 March 1982
Burkina Faso	14 October 1987 a/	13 November 1987
Burundi	8 January 1992	7 February 1992
Cambodia	15 October 1992 a/	14 November 1992
Canada	10 December 1981 b/	9 January 1982
Cape Verde	5 December 1980 a/	3 September 1981
Central African Republic	21 June 1991 a/	21 July 1991
Chile	7 December 1989	6 January 1990
China	4 November 1980 b/	3 September 1981
Colombia	19 January 1982	18 February 1982
Congo	26 July 1982	25 August 1982
Costa Rica	4 April 1986	4 May 1986
Croatia	9 September 1992 d/	9 October 1992
Cuba	17 July 1980 b/	3 September 1981
Cyprus	23 July 1985 a/ b/	22 August 1985
Czech Republic e/	22 February 1993 c/ d/	24 March 1993
Denmark	21 April 1983	21 May 1983
Dominica	15 September 1980	3 September 1981
Dominican Republic	2 September 1982	2 October 1982
Ecuador	9 November 1981	9 December 1981
Egypt	18 September 1981 b/	18 October 1981
El Salvador	19 August 1981 b/	18 September 1981
Equatorial Guinea	23 October 1984 a/	22 November 1984
Estonia	21 October 1991 a/	20 November 1991
Ethiopia	10 September 1981 b/	10 October 1981
Finland	4 September 1986	4 October 1986
France	14 December 1983 b/ c/	13 January 1984
Gabon	21 January 1983	20 February 1983
Germany f/	10 July 1985 b/	9 August 1985
Ghana	2 January 1986	1 February 1986
Greece	7 June 1983	7 July 1983
Grenada	30 August 1990	29 September 1990
Guatemala	12 August 1982	11 September 1982

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Guinea	9 August 1982	8 September 1982
Guinea-Bissau	23 August 1985	22 September 1985
Guyana	17 July 1980	3 September 1981
Haiti	20 July 1981	3 September 1981
Honduras	3 March 1983	2 April 1983
Hungary	22 December 1980 b/	3 September 1981
Iceland	18 June 1985	18 July 1985
Indonesia	13 September 1984 b/	13 October 1984
Iraq	13 August 1986 a/ b/	12 September 1986
Ireland	23 December 1985 a/ b/ c/	22 January 1986
Israel	3 October 1991 b/	2 November 1991
Italy	10 June 1985 b/	10 July 1985
Jamaica	19 October 1984 b/	18 November 1984
Japan	25 June 1985	25 July 1985
Jordan	1 July 1992 b/	31 July 1992
Kenya	9 March 1984 a/	8 April 1984
Lao People's Democratic Republic	14 August 1981	13 September 1981
Latvia	14 April 1992 a/	14 May 1992
Liberia	17 July 1984 a/	16 August 1984
Libyan Arab Jamahiriya	16 May 1989 a/ b/	15 June 1989
Luxembourg	2 February 1989 b/	4 March 1989
Madagascar	17 March 1989	16 April 1989
Malawi	12 March 1987 a/ b/	11 April 1987
Mali	10 September 1985	10 October 1985
Malta	8 March 1991 a/ b/	7 April 1991
Mauritius	9 July 1984 a/ b/	8 August 1984
Mexico	23 March 1981 b/	3 September 1981
Mongolia	20 July 1981 b/	3 September 1981
Namibia	23 November 1992 a/	23 December 1992
Nepal	22 April 1991	22 May 1991
Netherlands	23 July 1991 b/	22 August 1991
New Zealand	10 January 1985 b/ c/	9 February 1985
Nicaragua	27 October 1981	26 November 1981
Nigeria	13 June 1985	13 July 1985
Norway	21 May 1981	3 September 1981
Panama	29 October 1981	28 November 1981
Paraguay	6 April 1987 a/	6 May 1987
Peru	13 September 1982	13 October 1982
Philippines	5 August 1981	4 September 1981
Poland	30 July 1980 b/	3 September 1981
Portugal	30 July 1980	3 September 1981
Republic of Korea	27 December 1984 b/ c/	26 January 1985
Romania	7 January 1982 b/	6 February 1982
Russian Federation	23 January 1981 c/	3 September 1981
Rwanda	2 March 1981	3 September 1981
Saint Kitts and Nevis	25 April 1985 a/	25 May 1985
Saint Lucia	8 October 1982 a/	7 November 1982
Saint Vincent and the Grenadines	4 August 1981 a/	3 September 1981
Samoa	25 September 1992 a/	25 October 1992
Senegal	5 February 1985	7 March 1985
Seychelles	5 May 1992 a/	4 June 1992
Sierra Leone	11 November 1988	11 December 1988
Slovenia	6 July 1992 d/	5 August 1992

States parties	Date of receipt of the instrument of ratification or accession	Date of entry into force
Spain	5 January 1984 b/	4 February 1984
Sri Lanka	5 October 1981	4 November 1981
Suriname	1 March 1993 a/	31 March 1993
Sweden	2 July 1980	3 September 1981
Thailand	9 August 1985 a/ b/ c/	8 September 1985
Togo	26 September 1983 a/	26 October 1983
Trinidad and Tobago	12 January 1990 b/	11 February 1990
Tunisia	20 September 1985 b/	20 October 1985
Turkey	20 December 1985 a/ b/	19 January 1986
Uganda	22 July 1985	21 August 1985
Ukraine	12 March 1981 c/	3 September 1981
United Kingdom of Great Britain and Northern Ireland	7 April 1986 b/	7 May 1986
United Republic of Tanzania	20 August 1985	19 September 1985
Uruguay	9 October 1981	8 November 1981
Venezuela	2 May 1983 b/	1 June 1983
Viet Nam	17 February 1982 b/	19 March 1982
Yemen g/	30 May 1984 a/ b/	29 June 1984
Yugoslavia	26 February 1982	28 March 1982
Zaire	17 October 1986	16 November 1986
Zambia	21 June 1985	21 July 1985
Zimbabwe	13 May 1991 a/	12 June 1991

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a/ Accession.

b/ Declarations and reservations.

c/ Reservation subsequently withdrawn.

d/ Succession.

e/ Before becoming a separate State on 1 January 1993, the Czech Republic formed part of Czechoslovakia, which State had ratified the Convention on 16 February 1982.

f/ With effect from 3 October 1990, the German Democratic Republic (which ratified the Convention on 9 July 1980) and the Federal Republic of Germany (which ratified the Convention on 10 July 1985) united to form one sovereign State, which acts in the United Nations under the designation "Germany".

g/ On 22 May 1990 Democratic Yemen and Yemen merged to form a single State, which acts in the United Nations under the designation "Yemen".

Annex IV

MEMBERSHIP OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Name of member	Country of nationality
Charlotte Abaka*	Ghana
Ryoko Akamatsu*	Japan
Emna Aouij*	Tunisia
Gûl Aykor**	Turkey
Dora Bravo Nuñez de Ramsey*	Ecuador
Carlota Bustelo García del Real**	Spain
Silvia Rose Cartwright**	New Zealand
Ivanka Corti*	Italy
Norma Monica Forde*	Barbados
Evangelina García-Prince**	Venezuela
Liliana Gurdulich de Correa**	Argentina
Zagorka Ilic*	Yugoslavia
Salma Khan**	Bangladesh
Lin Shangzhen*	China
Pirkko Anneli Mâkinen**	Finland
Elsa Victoria Muñoz-Gómez**	Colombia
Tatiana Nikolaeva*	Russian Federation
Ahoua Ouedraogo**	Burkina Faso
Teresita Quintos-Deles*	Philippines
Hanna Beate Schöpp-Schilling**	Germany
Kongit Sinegiorgis**	Ethiopia
Mervat Tallawy*	Egypt
Rose N. Ukeje*	Nigeria

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* Term of office expires in 1994.

** Term of office expires in 1996.

Annex V

DOCUMENTS BEFORE THE COMMITTEE AT ITS TWELFTH SESSION

Document number	Title or description
A/47/38	Report of the Committee on the Elimination of Discrimination against Women on its eleventh session
A/47/628	Report of the fourth meeting of persons chairing the human rights treaty bodies
CEDAW/C/1993/1 and Corr.1	Provisional agenda and annotations
CEDAW/C/1993/2	Report of the Secretary-General on the status of submission of reports by States parties under article 18 of the Convention
CEDAW/C/1993/3	Note by the Secretary-General on reports of specialized agencies on the implementation of the Convention in areas falling within the scope of their activities
CEDAW/C/1993/3/Add.1	Report of the International Labour Organization
CEDAW/C/1993/4 and Corr.1	Report of the Secretariat on the analysis of article 16 and other articles of the Convention related to the family
CEDAW/C/1993/5	Report of the Secretariat on the implications for the work of the Committee of the priority themes of the Commission on the Status of Women
CEDAW/C/1993/CRP.1 and Rev.1 and 2	Proposed organization of work of the Committee
CEDAW/C/1993/CRP.2	Report of the pre-session working group
CEDAW/C/1993/INF/2/Rev.2	List of participants
CEDAW/C/1993/L.1 and Add.1-14	Draft report of the Committee

Document number	Title or description
	Reports of States parties
CEDAW/C/13/Add.30	Second periodic report of Bangladesh
CEDAW/C/FRA/2/Rev.1	Second periodic report of France
CEDAW/C/5/Add.66/Rev.1	Initial report of Iraq
CEDAW/C/KEN/1-2	Combined initial and second periodic reports of Kenya
CEDAW/C/13/Add.20	Second periodic report of Nicaragua
CEDAW/C/NIC/3	Third periodic report of Nicaragua
CEDAW/C/13/Add.28 and Corr.1	Second periodic report of the Republic of Korea
CEDAW/C/5/Add.45	Initial report of Romania
CEDAW/C/ROM/2-3	Combined second and third periodic reports of Romania
CEDAW/C/RWA/3	Third periodic report of Rwanda
CEDAW/C/18/Add.1	Third periodic report of Sweden
CEDAW/C/UK/2 and Amend.1	Second periodic report of the United Kingdom of Great Britain and Northern Ireland
CEDAW/C/5/Add.61	Initial report of Yemen
CEDAW/C/13/Add.24 and Amend.1	Second periodic report of Yemen
CEDAW/C/YEM/3	Third periodic report of Yemen

Annex VI

STATUS OF SUBMISSION AND CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN AS AT 1 MARCH 1993

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
A. Initial reports due and submitted as at 1 March 1993			
Angola	17 October 1987		
Antigua and Barbuda	31 August 1990		
Argentina	14 August 1986	6 October 1986 (CEDAW/C/5/Add.39)	Seventh (1988)
Australia	27 August 1984	3 October 1986 (CEDAW/C/5/Add.40)	Seventh (1988)
Austria	30 April 1983	20 October 1983 (CEDAW/C/5/Add.17)	Fourth (1985)
Bangladesh	6 December 1985	12 March 1986 (CEDAW/C/5/Add.34)	Sixth (1987)
Barbados	3 September 1982	11 April 1990 (CEDAW/C/5/Add.64)	Eleventh (1992)
Belgium	9 August 1986	20 July 1987 (CEDAW/C/5/Add.53)	Eighth (1989)
Belize	15 June 1991		
Bhutan	30 September 1982		
Bolivia	8 July 1991	8 July 1991 (CEDAW/C/BOL/1)	
Brazil	2 March 1985		

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* In the present annex, certain country names and designations are those that were in use when the reports were due or submitted.

** One year prior to the due date, the Secretary-General invites the State party to submit its report.

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Bulgaria	10 March 1983	13 June 1983 (CEDAW/C/5/Add.15)	Fourth (1985)
Burkina Faso	13 November 1988	24 May 1990 (CEDAW/C/5/Add.67)	Tenth (1991)
Byelorussian Soviet Socialist Republic	3 September 1982	4 October 1982 (CEDAW/C/5/Add.5)	Second (1983)
Canada	9 January 1983	15 July 1983 (CEDAW/C/5/Add.16)	Fourth (1985)
Cape Verde	3 September 1982		
Central African Republic	21 July 1992		
Chile	6 January 1991	3 September 1991 (CEDAW/C/CHI/1)	
China	3 September 1982	25 May 1983 (CEDAW/C/5/Add.14)	Third (1984)
Colombia	18 February 1983	16 January 1986 (CEDAW/C/5/Add.32)	Sixth (1987)
Congo	25 August 1983		
Costa Rica	4 May 1987		
Cuba	3 September 1982	27 September 1982 (CEDAW/C/5/Add.4)	Second (1983)
Cyprus	22 August 1986		
Czechoslovakia	18 March 1983	4 October 1984 (CEDAW/C/5/Add.26)	Fifth (1986)
Denmark	21 May 1984	30 July 1984 (CEDAW/C/5/Add.22)	Fifth (1986)
Dominica	3 September 1982		
Dominican Republic	2 October 1983	2 May 1986 (CEDAW/C/5/Add.37)	Seventh (1988)
Ecuador	9 December 1982	14 August 1984 (CEDAW/C/5/Add.23)	Fifth (1986)

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Egypt	18 October 1982	2 February 1983 (CEDAW/C/5/Add.10)	Third (1984)
El Salvador	18 September 1982	3 November 1983 (CEDAW/C/5/Add.19)	Fifth (1986)
Equatorial Guinea	22 November 1985	16 March 1987 (CEDAW/C/5/Add.50)	Eighth (1989)
Estonia	20 November 1992		
Ethiopia	10 October 1982		
Finland	4 October 1987	16 February 1988 (CEDAW/C/5/Add.56)	Eighth (1989)
France	13 January 1985	13 February 1986 (CEDAW/C/5/Add.33)	Sixth (1987)
Gabon	20 February 1984	19 June 1987 (CEDAW/C/5/Add.54)	Eighth (1989)
German Democratic Republic	3 September 1982	30 August 1982 (CEDAW/C/5/Add.1)	Second (1983)
Germany, Federal Republic of	9 August 1986	15 September 1988 (CEDAW/C/5/Add.59)	Ninth (1990)
Ghana	1 February 1987	29 January 1991 (CEDAW/C/GHA/1-2)	Eleventh (1992)
Greece	7 July 1984	5 April 1985 (CEDAW/C/5/Add.28)	Sixth (1987)
Grenada	29 September 1991		
Guatemala	11 September 1983	2 April 1991 (CEDAW/C/GUA/1-2 and Corr.1)	
Guinea	8 September 1983		
Guinea-Bissau	22 September 1986		
Guyana	3 September 1982	23 January 1990 (CEDAW/C/5/Add.63)	
Haiti	3 September 1982		
Honduras	2 April 1984	3 December 1986 (CEDAW/C/5/Add.44)	Eleventh (1992)

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Hungary	3 September 1982	20 September 1982 (CEDAW/C/5/Add.3)	Third (1984)
Iceland	18 July 1986		
Indonesia	13 October 1985	17 March 1986 (CEDAW/C/5/Add.36)	Seventh (1988)
Iraq	12 September 1987	16 May 1990 (CEDAW/C/5/Add.66/Rev.1)	Twelfth (1993)
Ireland	22 January 1987	18 February 1987 (CEDAW/C/5/Add.47)	Eighth (1989)
Israel	2 November 1992		
Italy	10 July 1986	20 October 1989 (CEDAW/C/5/Add.62)	Tenth (1991)
Jamaica	18 November 1985	12 September 1986 (CEDAW/C/5/Add.38)	Seventh (1988)
Japan	25 July 1986	13 March 1987 (CEDAW/C/5/Add.48)	Seventh (1988)
Kenya	8 April 1985	4 December 1990 (CEDAW/C/KEN/1-2)	Twelfth (1993)
Lao People's Democratic Republic	13 September 1982		
Liberia	16 August 1985		
Libyan Arab Jamahiriya	15 June 1990	18 February 1991 (CEDAW/C/LIB/1)	
Luxembourg	4 March 1990		
Madagascar	16 April 1990	21 May 1990 (CEDAW/C/5/Add.65 and Rev.1)	
Malawi	11 April 1988	15 July 1988 (CEDAW/C/5/Add.58)	Ninth (1990)
Mali	10 October 1986	13 November 1986 (CEDAW/C/5/Add.43)	Seventh (1988)
Malta	7 April 1992		

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Mauritius	8 August 1985	23 February 1992 (CEDAW/C/MAR/1-2)	
Mexico	3 September 1982	14 September 1982 (CEDAW/C/5/Add.2)	Second (1983)
Mongolia	3 September 1982	18 November 1983 (CEDAW/C/5/Add.20)	Fifth (1986)
Nepal	22 May 1992		
Netherlands	28 August 1992	19 November 1992 (CEDAW/C/NET/1)	
New Zealand	9 February 1986	3 October 1986 (CEDAW/C/5/Add.41)	Seventh (1988)
Nicaragua	26 November 1982	22 September 1987 (CEDAW/C/5/Add.55)	Eighth (1989)
Nigeria	13 July 1986	1 April 1987 (CEDAW/C/5/Add.49)	Seventh (1987)
Norway	3 September 1982	18 November 1982 (CEDAW/C/5/Add.7)	Third (1984)
Panama	28 November 1982	12 December 1982 (CEDAW/C/5/Add.9)	Fourth (1985)
Paraguay	6 May 1988	4 June 1992 (CEDAW/C/PAR/1-2)	
Peru	13 October 1983	14 September 1988 (CEDAW/C/5/Add.60)	Ninth (1990)
Philippines	4 September 1982	22 October 1982 (CEDAW/C/5/Add.6)	Third (1984)
Poland	3 September 1982	10 October 1985 (CEDAW/C/5/Add.31)	Sixth (1987)
Portugal	3 September 1982	19 July 1983 (CEDAW/C/5/Add.21)	Fifth (1986)
Republic of Korea	26 January 1986	13 March 1986 (CEDAW/C/5/Add.35)	Sixth (1987)
Romania	6 February 1983	14 January 1987 (CEDAW/C/5/Add.45)	Twelfth (1993)

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Rwanda	3 September 1982	24 May 1983 (CEDAW/C/5/Add.13)	Third (1984)
Saint Kitts and Nevis	25 May 1986		
Saint Lucia	7 November 1983		
Saint Vincent and the Grenadines	3 September 1982	27 September 1991 (CEDAW/C/STV/1-3)	
Senegal	7 March 1986	5 November 1986 (CEDAW/C/5/Add.42)	Seventh (1988)
Sierra Leone	11 December 1989		
Spain	4 February 1985	20 August 1985 (CEDAW/C/5/Add.30)	Sixth (1987)
Sri Lanka	4 November 1982	7 July 1985 (CEDAW/C/5/Add.29)	Sixth (1987)
Sweden	3 September 1982	22 October 1982 (CEDAW/C/5/Add.8)	Second (1983)
Thailand	8 September 1986	1 June 1987 (CEDAW/C/5/Add.51)	Ninth (1990)
Togo	26 October 1984		
Trinidad and Tobago	11 February 1991		
Tunisia	20 October 1986		
Turkey	19 January 1987	27 January 1987 (CEDAW/C/5/Add.46)	Ninth (1990)
Uganda	21 August 1986	1 June 1992 (CEDAW/C/UGA/1-2)	
Ukrainian Soviet Socialist Republic	3 September 1982	2 March 1983 (CEDAW/C/5/Add.11)	Second (1983)
Union of Soviet Socialist Republics	3 September 1982	2 March 1983 (CEDAW/C/5/Add.12)	Second (1983)
United Kingdom of Great Britain and Northern Ireland	7 May 1987	25 June 1987 (CEDAW/C/5/Add.52)	Ninth (1990)

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
United Republic of Tanzania	19 September 1986	9 March 1988 (CEDAW/C/5/Add.57)	Ninth (1990)
Uruguay	8 November 1982	23 November 1984 (CEDAW/C/5/Add.27)	Seventh (1988)
Venezuela	1 June 1984	27 August 1984 (CEDAW/C/5/Add.24)	Fifth (1986)
Viet Nam	19 March 1983	2 October 1984 (CEDAW/C/5/Add.25)	Fifth (1986)
Yemen	29 June 1985	23 January 1989 (CEDAW/C/5/Add.61)	Twelfth (1993)
Yugoslavia	28 March 1983	3 November 1983 (CEDAW/C/5/Add.18)	Fourth (1985)
Zaire	16 November 1987		
Zambia	21 July 1986	6 March 1991 (CEDAW/C/ZAM/1-2)	
Zimbabwe	12 June 1992		

B. Second periodic reports due and submitted as at 1 March 1993

Angola	17 October 1991		
Argentina	14 August 1990	13 February 1992 (CEDAW/C/ARG/2)	
Australia	27 August 1988	24 July 1992 (CEDAW/C/AUL/2)	
Austria	30 April 1987	18 December 1989 (CEDAW/C/13/Add.27)	Tenth (1991)
Bangladesh	6 December 1989	23 February 1990 (CEDAW/C/13/Add.30)	Twelfth (1993)
Barbados	3 September 1986	4 December 1991 (CEDAW/C/BAR/2-3)	
Belgium	9 August 1990	9 February 1993 (CEDAW/C/BEL/2)	
Bhutan	30 September 1986		
Brazil	2 March 1989		

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Bulgaria	10 March 1987		
Burkina Faso	13 November 1992		
Byelorussian Soviet Socialist Republic	3 September 1986	3 March 1987 (CEDAW/C/13/Add.5)	Eighth (1989)
Canada	9 January 1987	20 January 1988 (CEDAW/C/13/Add.11)	Ninth (1990)
Cape Verde	3 September 1986		
China	3 September 1986	22 June 1989 (CEDAW/C/13/Add.26)	Eleventh (1992)
Colombia	18 February 1987	14 January 1993 (CEDAW/C/COL/2-3)	
Congo	25 August 1987		
Costa Rica	4 May 1991		
Cuba	3 September 1986	13 March 1992 (CEDAW/C/CUB/2-3)	
Cyprus	22 August 1990		
Czechoslovakia	18 March 1987	16 June 1989 (CEDAW/C/13/Add.25)	Eleventh (1992)
Denmark	21 May 1988	2 June 1988 (CEDAW/C/13/Add.14)	Tenth (1991)
Dominica	3 September 1986		
Dominican Republic	2 October 1987		
Ecuador	9 December 1986	28 May 1990 (CEDAW/C/13/Add.31)	
Egypt	18 October 1986	19 December 1986 (CEDAW/C/13/Add.2)	Ninth (1990)
El Salvador	18 September 1986	18 December 1987 (CEDAW/C/13/Add.12)	Eleventh (1992)
Equatorial Guinea	22 November 1989		
Ethiopia	10 October 1986		

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Finland	4 October 1991	9 February 1993 (CEDAW/C/FIN/2)	
France	13 January 1989	10 December 1990 (CEDAW/C/FRA/2) (CEDAW/C/FRA/2/Rev.1	Twelfth (1993)
Gabon	20 February 1988		
German Democratic Republic	3 September 1986	28 January 1987 (CEDAW/C/13/Add.3)	Eighth (1989)
Germany, Federal Republic of	9 August 1990		
Ghana	1 February 1991	29 January 1991 (CEDAW/C/GHA/1-2)	Eleventh (1992)
Greece	7 July 1988		
Guatemala	11 September 1987	2 April 1991 (CEDAW/C/GUA/1-2 and Corr.1)	
Guinea	8 September 1987		
Guinea-Bissau	22 September 1990		
Guyana	3 September 1986		
Haiti	3 September 1986		
Honduras	2 April 1988	28 October 1987 (CEDAW/C/13/Add.9)	Eleventh (1992)
Hungary	3 September 1986	29 September 1986 (CEDAW/C/13/Add.1)	Seventh (1988)
Iceland	18 July 1990		
Indonesia	13 October 1989		
Iraq	12 September 1991		
Ireland	22 January 1991		
Italy	10 July 1990		
Jamaica	18 November 1989		

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Japan	25 July 1990	21 February 1992 (CEDAW/C/JPN/2)	
Kenya	8 April 1989	4 December 1990 (CEDAW/C/KEN/1-2)	Twelfth (1993)
Lao People's Democratic Republic	13 September 1986		
Liberia	16 August 1989		
Malawi	11 April 1992		
Mali	10 October 1990		
Mauritius	8 August 1989	23 February 1992 (CEDAW/C/MAR/1-2)	
Mexico	3 September 1986	3 December 1987 (CEDAW/C/13/Add.10)	Ninth (1990)
Mongolia	3 September 1986	17 March 1987 (CEDAW/C/13/Add.7)	Ninth (1990)
New Zealand	9 February 1990	3 November 1992 (CEDAW/C/NZE/2)	
Nicaragua	26 November 1986	16 March 1989 (CEDAW/C/13/Add.20)	Twelfth (1993)
Nigeria	13 July 1990		
Norway	3 September 1986	23 June 1988 (CEDAW/C/13/Add.15)	Tenth (1991)
Panama	28 November 1986		
Paraguay	6 May 1992	4 June 1992 (CEDAW/C/PAR/1-2)	
Peru	13 October 1987	13 February 1990 (CEDAW/C/13/Add.29)	
Philippines	4 September 1986	12 December 1988 (CEDAW/C/13/Add.17)	Tenth (1991)
Poland	3 September 1986	17 November 1988 (CEDAW/C/13/Add.16)	Tenth (1991)

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Portugal	3 September 1986	18 May 1989 (CEDAW/C/13/Add.22)	Tenth (1991)
Republic of Korea	26 January 1990	19 December 1989 (CEDAW/C/13/Add.28 and Corr.1)	Twelfth (1993)
Romania	6 February 1987	19 October 1992 (CEDAW/C/ROM/2-3)	Twelfth (1993)
Rwanda	3 September 1986	7 March 1988 (CEDAW/C/13/Add.13)	Tenth (1991)
Saint Kitts and Nevis	25 May 1990		
Saint Lucia	7 November 1987		
Saint Vincent and the Grenadines	3 September 1986	27 September 1991 (CEDAW/C/STV/1-3)	
Senegal	7 March 1990	23 September 1991 (CEDAW/C/SEN/2)	
Spain	4 February 1989	9 February 1989 (CEDAW/C/13/Add.19)	Eleventh (1992)
Sri Lanka	4 November 1986	29 December 1988 (CEDAW/C/13/Add.18)	Eleventh (1992)
Sweden	3 September 1986	10 March 1987 (CEDAW/C/13/Add.6)	Seventh (1988)
Thailand	8 September 1990		
Togo	26 October 1988		
Tunisia	20 October 1990		
Turkey	19 January 1991		
Uganda	21 August 1990	1 June 1992 (CEDAW/C/UGA/1-2)	
Ukrainian Soviet Socialist Republic	3 September 1986	13 August 1987 (CEDAW/C/13/Add.8)	Ninth (1990)
Union of Soviet Socialist Republics	3 September 1986	10 February 1987 (CEDAW/C/13/Add.4)	Eighth (1989)

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
United Kingdom of Great Britain and Northern Ireland	7 May 1991	11 May 1991 (CEDAW/C/UK/2) (CEDAW/C/UK/2/Amend.1)	Twelfth (1993)
United Republic of Tanzania	19 September 1990		
Uruguay	8 November 1986		
Venezuela	1 June 1988	18 April 1989 (CEDAW/C/13/Add.21)	Eleventh (1992)
Viet Nam	19 March 1987		
Yemen	29 June 1989	8 June 1989 (CEDAW/C/13/Add.24) (CEDAW/C/13/Add.24/ Amend.1)	Twelfth (1993)
Yugoslavia	28 March 1987	31 May 1989 (CEDAW/C/13/Add.23)	Tenth (1991)
Zaire	16 November 1991		
Zambia	21 July 1990	6 March 1991 (CEDAW/C/ZAM/1-2)	

C. Third periodic reports due and submitted as at 1 March 1993

Australia	27 August 1992		
Austria	30 April 1991		
Bangladesh	6 December 1993	26 January 1993 (CEDAW/C/BDG/3)	
Barbados	3 September 1990	4 December 1991 (CEDAW/C/BAR/2-3)	
Bhutan	30 September 1990		
Bulgaria	10 March 1991		
Byelorussian Soviet Socialist Republic	3 September 1990		
Canada	9 January 1991	9 September 1992 (CEDAW/C/CAN/3)	

States parties*	Date due**	Date of submission	Considered by Committee (session/year)
Cape Verde	3 September 1990		
China	3 September 1990		
Colombia	18 February 1991	14 January 1993 (CEDAW/C/COL/2-3)	
Congo	25 August 1991		
Cuba	3 September 1990	13 March 1992 (CEDAW/C/CUB/2-3)	
Denmark	21 May 1992		
Dominica	3 September 1990		
Dominican Republic	2 October 1991		
Ecuador	9 December 1990	23 December 1991 (CEDAW/C/ECU/3)	
Egypt	18 October 1990		
El Salvador	18 September 1990		
Ethiopia	10 October 1990		
France	13 January 1993		
Gabon	20 February 1992		
Greece	7 July 1992		
Guatemala	11 September 1991		
Guinea	8 September 1991		
Guyana	3 September 1990		
Haiti	3 September 1990		
Honduras	2 April 1992	31 May 1991 (CEDAW/C/HON/3)	Eleventh (1992)
Hungary	3 September 1990	4 April 1991 (CEDAW/C/HUN/3)	
Lao People's Democratic Republic	13 September 1990		

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Mexico	3 September 1990	1 December 1992 (CEDAW/C/MEX/3)	
Mongolia	3 September 1990		
Nicaragua	26 November 1990	15 October 1992 (CEDAW/C/NIC/3)	Twelfth (1993)
Norway	3 September 1990	25 January 1991 (CEDAW/C/NOR/3)	
Panama	28 November 1990		
Peru	13 October 1991		
Philippines	4 September 1990	20 January 1993 (CEDAW/C/PHI/3)	
Poland	3 September 1990	22 November 1990 (CEDAW/C/18/Add.2)	Tenth (1991)
Portugal	3 September 1990	10 December 1990 (CEDAW/C/18/Add.3)	Tenth (1991)
Romania	6 February 1991	19 October 1992 (CEDAW/C/ROM/2-3)	Twelfth (1993)
Rwanda	3 September 1990	18 January 1991 (CEDAW/C/RWA/3)	Twelfth (1993)
Saint Lucia	7 November 1991		
Saint Vincent and the Grenadines	3 September 1990	27 September 1991 (CEDAW/C/STV/1-3)	
Spain	4 February 1993		
Sri Lanka	4 November 1990		
Sweden	3 September 1990	3 October 1990 (CEDAW/C/18/Add.1)	Twelfth (1993)
Togo	26 October 1992		
Ukrainian Soviet Socialist Republic	3 September 1990	31 May 1991 (CEDAW/C/UKR/3)	
Union of Soviet Socialist Republics	3 September 1990	24 July 1991 (CEDAW/C/USR/3)	

States parties*	Date due**	Date of submission	Considered by Committee (session/ year)
Uruguay	8 November 1990		
Venezuela	1 June 1992		
Viet Nam	19 March 1991		
Yemen	29 June 1993	13 November 1992 (CEDAW/C/YEM/3)	Twelfth (1993)
Yugoslavia	28 March 1991		